

Nancy Crowther

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Pages 6 to 9

<p style="text-align: right;">Page 6</p> <p>1 get on to the meat and potatoes of the deposition.</p> <p>2 Does that sound good?</p> <p>3 A. I'm ready.</p> <p>4 Q. Okay. Have you been deposed before?</p> <p>5 A. Yes.</p> <p>6 Q. How many times?</p> <p>7 A. I don't know.</p> <p>8 Q. Do you have a rough approximation?</p> <p>9 A. At least once.</p> <p>10 Q. Twice?</p> <p>11 A. Maybe.</p> <p>12 Q. Okay. What was the one that you can recall that</p> <p>13 you were disposed in? What case was that?</p> <p>14 A. It was a case against Texaco and gas stations,</p> <p>15 related to ADA compliance for helping people to pump gas</p> <p>16 into their accessible vehicles for people in wheelchairs</p> <p>17 who could not reach the pumps, nor lift them, nor put</p> <p>18 them in their vehicle. And we won that lawsuit. If</p> <p>19 you've been by any gas station, there's a label that</p> <p>20 says, If you need help, just honk.</p> <p>21 So that one is -- was a very memorable one.</p> <p>22 Q. So we have you to thank for that. And what year</p> <p>23 was that?</p> <p>24 A. I don't know. It was within the last 32 years.</p> <p>25 Q. Okay.</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. Okay. It also helps the court reporter if we</p> <p>2 don't talk over each other. I feel like we've been</p> <p>3 doing a pretty good job of that so far, so I will do my</p> <p>4 best to let you answer a question before I try and ask</p> <p>5 you something else, and I ask that you do the same for</p> <p>6 me.</p> <p>7 Does that make sense?</p> <p>8 A. It does.</p> <p>9 Q. Okay. If you don't understand the question, just</p> <p>10 let me know. If you do answer a question, I'm going to</p> <p>11 assume that you understood the question.</p> <p>12 Does that make sense?</p> <p>13 A. It does, yes.</p> <p>14 Q. Okay. If you need a break at any point, just let</p> <p>15 me know. That's totally fine. My only request is that</p> <p>16 if you're in the middle of answering the question, you</p> <p>17 finish answering the question, then we can go off the</p> <p>18 record and take a break.</p> <p>19 Is that okay?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. Mandatory question: Are you aware of</p> <p>22 anything that would affect your ability to testify</p> <p>23 truthfully today?</p> <p>24 A. No.</p> <p>25 Q. And have you consumed any alcohol or drugs today?</p>
<p style="text-align: right;">Page 7</p> <p>1 A. I know that.</p> <p>2 Q. Okay. All right. Thank you.</p> <p>3 And any other cases that you've been involved in</p> <p>4 that you can remember, in which you've been deposed?</p> <p>5 A. I believe I was deposed in Yellow Cab suit with</p> <p>6 Civil Rights Project. They helped us with accessible</p> <p>7 taxi service.</p> <p>8 Q. And a rough sense of what year that was?</p> <p>9 A. No.</p> <p>10 Q. That's okay.</p> <p>11 Any other ones you can think of?</p> <p>12 A. Not right off.</p> <p>13 Q. Okay. You understand you're under oath today,</p> <p>14 right?</p> <p>15 A. Yes.</p> <p>16 Q. For the court reporter, especially since our</p> <p>17 court reporter today is virtual -- she's on the</p> <p>18 computer -- it's especially important that you provide</p> <p>19 "yes or no" answers rather than just nodding your head</p> <p>20 or shaking your head. This also has a little extra</p> <p>21 importance today, too, because we have, you know,</p> <p>22 attorneys and other people participating remotely who,</p> <p>23 maybe they're just dialing in, and they can't see you.</p> <p>24 Does that make sense?</p> <p>25 A. It does.</p>	<p style="text-align: right;">Page 9</p> <p>1 A. No.</p> <p>2 Q. Okay. I'm going to start us off by introducing</p> <p>3 our first exhibit of the day. I'm going to be marking</p> <p>4 it as Exhibit 1.</p> <p>5 If you flip to the second page, you'll see that</p> <p>6 this is -- reads, "Plaintiff's Second Amended</p> <p>7 Complaint." Reads, "Plaintiffs Houston Justice, Houston</p> <p>8 Area Urban League, Delta Sigma Theta Sorority, Inc.,</p> <p>9 The Arc of Texas, Mi Familia Vota, Marla López,</p> <p>10 Marlon López, Paul Rutledge, and Jeffrey Lamar Clemmons</p> <p>11 (collectively, "Plaintiffs") file this Complaint for</p> <p>12 Declaratory and Injunctive Relief to challenge the</p> <p>13 constitutionality and legality of Texas Senate Bill 1,</p> <p>14 and allege</p> <p>15 as follows."</p> <p>16 Did I read that correctly?</p> <p>17 (Exhibit 1 marked.)</p> <p>18 A. I didn't catch you. I was looking up here.</p> <p>19 Q. (BY MR. HERBERT) Oh, that's okay. So the first</p> <p>20 paragraph --</p> <p>21 A. Okay.</p> <p>22 Q. -- it lists as plaintiffs The Arc of Texas, and</p> <p>23 it refers to challenging the constitutionality and</p> <p>24 legality of Texas Senate Bill 1.</p> <p>25 Did I represent that accurately?</p>

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<p style="text-align: right;">Page 22</p> <p>1 Page 4. Let's look at Paragraph 9 of the Complaint.</p> <p>2 It reads, "Each of the Plaintiffs named below has</p> <p>3 members -- including REVUP members like</p> <p>4 Ruben Fernandez, Amy Litzsinger, and Laura Halvorson --</p> <p>5 who are qualified individuals with</p> <p>6 disabilities within the meaning of the ADA because they</p> <p>7 have physical and/or mental impairments</p> <p>8 that substantially limit one or more of their major life</p> <p>9 activities, including but not limited to 'caring</p> <p>10 for oneself, performing manual tasks, seeing, hearing,</p> <p>11 eating, sleeping, walking, standing, lifting,</p> <p>12 bending, speaking, breathing, learning, reading,</p> <p>13 concentrating, thinking, communicating, and/or</p> <p>14 working."</p> <p>15 Did I read that correctly?</p> <p>16 A. Yes, you did.</p> <p>17 Q. Okay. Are you familiar with Ruben Fernandez --</p> <p>18 strike that --</p> <p>19 Do you know Ruben Fernandez?</p> <p>20 A. If he is the Rubin that resides in El Paso, then</p> <p>21 yes, I know him -- or of him.</p> <p>22 Q. Do you know the nature of his disability?</p> <p>23 A. No, I do not.</p> <p>24 Q. Okay. What about Amy Litzsinger?</p> <p>25 A. I do know her.</p>	<p style="text-align: right;">Page 24</p> <p>1 the meaning of the ADA?</p> <p>2 A. Yes, I do.</p> <p>3 Q. Could you tell me the nature of your disability?</p> <p>4 A. I have a progressive neuromuscular disease that</p> <p>5 makes me extremely weak, and it's progressive, so I'm</p> <p>6 getting weaker as time goes by. It -- I have all the</p> <p>7 definitions of disability in accordance with the law,</p> <p>8 and more. I do require assistance with an attendant and</p> <p>9 multiple mobility devices and durable medical equipment</p> <p>10 to maintain my major life activities.</p> <p>11 Q. Can you tell me about some of the challenges to</p> <p>12 your major life activities that you face and how you</p> <p>13 deal with those challenges?</p> <p>14 MS. SIFUENTES-DAVIS: Objection, form.</p> <p>15 A. I'll have to just take you through a day. I need</p> <p>16 attendant services. I use a hospital bed. I can't sit</p> <p>17 up by myself, so my attendant helps me. To go to the</p> <p>18 bathroom, I need assistance in that form. For getting</p> <p>19 dressed I need 100 percent assistance with that. Being</p> <p>20 transferred from my bed to my wheelchair, I use a lift,</p> <p>21 which my attendant puts under me and guides me into my</p> <p>22 wheelchair. I have an electric wheelchair that reclines</p> <p>23 so that I can stretch out during the day. I cannot read</p> <p>24 above my ears, so everything I have has to be kind of</p> <p>25 right in front of me. I use electronics [sic]</p>
<p style="text-align: right;">Page 23</p> <p>1 Q. Do you know the nature of her disability?</p> <p>2 A. No, I do not.</p> <p>3 Q. And Laura Halvorson, do you know her?</p> <p>4 A. Yes.</p> <p>5 Q. And do you know the nature of her disability?</p> <p>6 A. No, I do not.</p> <p>7 Q. So can you personally testify to any challenges</p> <p>8 that Laura Halvorson has faced while voting -- strike</p> <p>9 that --</p> <p>10 Do you have any personal knowledge about</p> <p>11 challenges that Laura Halvorson has faced while voting?</p> <p>12 A. No.</p> <p>13 Q. Do you have any personal knowledge about</p> <p>14 challenges that Amy Litzsinger has faced while voting?</p> <p>15 A. No.</p> <p>16 Q. And do you have any personal knowledge about</p> <p>17 challenges that Ruben Fernandez has faced while voting?</p> <p>18 A. And the only reason that I respond "no" in</p> <p>19 this -- this direction is that I know they have</p> <p>20 disabilities, I just don't know that I've ever seen them</p> <p>21 vote.</p> <p>22 Q. So that's a "no" for Ruben Fernandez too?</p> <p>23 A. So that's no.</p> <p>24 Q. Okay. Thank you.</p> <p>25 And do you yourself have any disabilities within</p>	<p style="text-align: right;">Page 25</p> <p>1 technology to turn on lights. I use my cell phone to</p> <p>2 turn on lights and do what else I can do through</p> <p>3 whatever app there is available.</p> <p>4 Let's see. I utilize, certainly, you know,</p> <p>5 sidewalks. I use my accessible public transit to get</p> <p>6 around. My attendant goes with me for the majority of</p> <p>7 my activities to either of escort me, open doors, get me</p> <p>8 water, food. She helps me at night with my CPAP</p> <p>9 machine. So many things. Plugging in my wheelchair.</p> <p>10 Everything -- feeding my cat. That's not on the list of</p> <p>11 duties, but taking care of a lot of the household</p> <p>12 things.</p> <p>13 I can't even really fold laundry anymore. As I</p> <p>14 said earlier, it's a progressive disability. I used to</p> <p>15 be able to cook. I can't cook anymore, for safety</p> <p>16 reasons and for the weakness. I used to be able to open</p> <p>17 doors on my own, and because it's progressed, I'm</p> <p>18 needing help doing that. I find myself dropping things</p> <p>19 more, which my attendant helps me with. Actually, we</p> <p>20 just go around the house picking up things.</p> <p>21 We do as many normal things as possible,</p> <p>22 including going to church activities and to -- lifting</p> <p>23 things. I can't lift anything. I shouldn't lift</p> <p>24 anything because she'll have to pick it up. It's a</p> <p>25 pretty devastating type of disease. To imagine the</p>

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<p style="text-align: right;">Page 30</p> <p>1 Q. And how long have you been registered to vote?</p> <p>2 A. Since I was 22. Do the math.</p> <p>3 Q. And --</p> <p>4 A. But as soon as I could, I got registered.</p> <p>5 Q. And you're currently registered to vote in</p> <p>6 Travis County, right?</p> <p>7 A. Correct.</p> <p>8 Q. Do you have a rough sense for how long you've</p> <p>9 been registered in Travis County?</p> <p>10 A. Forty years.</p> <p>11 Q. Okay. And you vote frequently, right?</p> <p>12 A. Yes.</p> <p>13 Q. You mentioned about the 2020 instance in which</p> <p>14 you attempted to vote by mail, and we will circle back</p> <p>15 to that, but I assume that means, then, that you've</p> <p>16 voted in person, as well, right?</p> <p>17 A. No.</p> <p>18 Q. You have not voted in person before?</p> <p>19 A. I have voted in person as often, but the mail-in</p> <p>20 ballot was a different issue.</p> <p>21 Q. Right. Sorry, I'm -- I apologize -- strike</p> <p>22 that -- let me restate my question.</p> <p>23 A. Okay.</p> <p>24 Q. You have also voted in person before, right?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 32</p> <p>1 Travis County in the past, too, right?</p> <p>2 A. I'm still not sure what you're asking.</p> <p>3 Q. Sure.</p> <p>4 You know how voting practice works -- strike</p> <p>5 that --</p> <p>6 You know how voting works in Travis County,</p> <p>7 right?</p> <p>8 MS. SIFUENTES-DAVIS: Objection, form.</p> <p>9 A. Yeah. I'm still having --</p> <p>10 Q. (BY MR. HERBERT) It's okay.</p> <p>11 A. -- trouble with that question.</p> <p>12 Q. I think if I can rephrase it in a moment.</p> <p>13 A. Okay.</p> <p>14 Q. So we're probably gonna touch on the 2020</p> <p>15 instance a couple of times here. So we don't -- my</p> <p>16 question just for right now is: Were you able to vote</p> <p>17 in 2020?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And did you vote in the 2020 general</p> <p>20 election?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. Did you vote in the 2020 primary election?</p> <p>23 A. I don't recall.</p> <p>24 Q. Did you vote in the 2020 special election in July</p> <p>25 of 2020?</p>
<p style="text-align: right;">Page 31</p> <p>1 Q. Okay. And have you ever used an assister to</p> <p>2 vote?</p> <p>3 A. I have one available. My attendant is available</p> <p>4 to assist when needed.</p> <p>5 Q. And have you used the help of your attendant or</p> <p>6 anybody else to help you vote?</p> <p>7 A. In situations where I've dropped the ballot, I</p> <p>8 had need for help getting the adaptive equipment to use</p> <p>9 the voting machine disconnected from the Velcro; just in</p> <p>10 those instances.</p> <p>11 Q. Okay. Have you ever requested an accommodation</p> <p>12 at a polling location?</p> <p>13 A. The only accommodation I recall asking for has</p> <p>14 been the high-enough, wide-enough booth to accommodate</p> <p>15 my wheelchair.</p> <p>16 Q. Do you have a rough sense for when that was?</p> <p>17 A. It's generally every election.</p> <p>18 Q. Okay. So it's fair to say that you're familiar</p> <p>19 with voting practices in Travis County, right?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And you're familiar with the voting</p> <p>22 options that Travis County has offered in the past,</p> <p>23 right?</p> <p>24 A. Voting options? What do you mean by that?</p> <p>25 Q. You're familiar with the voting practices in</p>	<p style="text-align: right;">Page 33</p> <p>1 A. I don't recall.</p> <p>2 Q. Did you vote in the 2020 July primary runoff?</p> <p>3 A. Specifically, I don't recall. This was all</p> <p>4 during COVID, and it's kind of a blur, but I don't</p> <p>5 recall.</p> <p>6 Q. Okay. Do you know if you voted -- strike that --</p> <p>7 Did you vote in the 2021 November -- the</p> <p>8 November 2021 constitutional amendment election?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. And let's talk about 2022.</p> <p>11 Did you vote in the 2022 primary election on</p> <p>12 March 1st?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. Which party's primary did you vote in?</p> <p>15 A. Democratic.</p> <p>16 Q. And have you voted in Texas Democratic primaries</p> <p>17 before?</p> <p>18 A. Yes.</p> <p>19 Q. Do you have a rough estimate on how many times?</p> <p>20 A. Not really.</p> <p>21 Q. Okay. Have you ever voted in the Republican</p> <p>22 primary in Texas?</p> <p>23 A. Yes.</p> <p>24 Q. Do you have a rough sense for when that was?</p> <p>25 A. No.</p>

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<p style="text-align: right;">Page 34</p> <p>1 Q. Okay. Do you have a rough sense for how many</p> <p>2 times?</p> <p>3 A. No.</p> <p>4 Q. In the 2022 primary election on March 1st, the</p> <p>5 Democratic primary election, did you vote by mail or in</p> <p>6 person?</p> <p>7 A. In person.</p> <p>8 Q. Okay. Did your attendant help you that day?</p> <p>9 A. No.</p> <p>10 Q. Okay. Did you have anyone else help or assist</p> <p>11 you that day in voting?</p> <p>12 A. I required the assistance of one of the poll</p> <p>13 workers to help remove the adaptive equipment from the</p> <p>14 side of the machine so that I could work the voting --</p> <p>15 but she had trouble, too. It's a very strong Velcro.</p> <p>16 It's got to be 50 pounds or something. But yes, she</p> <p>17 assisted removing that device so that I could vote.</p> <p>18 Q. Okay. And what about the May 7th local and</p> <p>19 constitutional election? Did you vote in that election</p> <p>20 in 2022?</p> <p>21 A. I voted in the early voting, yes.</p> <p>22 Q. And did you vote in person for that?</p> <p>23 A. Yes.</p> <p>24 Q. And what about the most recent May 24th</p> <p>25 Democratic primary runoff? Did you vote in that?</p>	<p style="text-align: right;">Page 36</p> <p>1 Q. Senate Bill 1 was in effect for the</p> <p>2 March 1st, 2022, primary, correct?</p> <p>3 A. I believe so.</p> <p>4 Q. And same for the May 7th local election, correct?</p> <p>5 A. I believe so.</p> <p>6 Q. And same for the May 24th runoff election, right?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. Since 2016, how many times have you voted</p> <p>9 in the Democratic primary elections?</p> <p>10 A. There is no way I can tell you an answer to that.</p> <p>11 Q. That's okay. Do you have a rough idea?</p> <p>12 A. We'll just say that I vote at every opportunity</p> <p>13 through issues that come up on the ballot --</p> <p>14 Q. Okay.</p> <p>15 A. -- in Travis County.</p> <p>16 Q. And did you vote in a Republican primary since</p> <p>17 2016?</p> <p>18 A. I don't recall.</p> <p>19 Q. Okay. Let's now -- let's now step back to before</p> <p>20 the enactment of Senate Bill 1.</p> <p>21 So you had mentioned that you had issues voting</p> <p>22 by mail in the 2020 general election; is that right?</p> <p>23 A. That's correct.</p> <p>24 Q. Is that the only time that you had issues voting</p> <p>25 in 2020?</p>
<p style="text-align: right;">Page 35</p> <p>1 A. Yes.</p> <p>2 Q. Okay. And you voted in person, right?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. Did you receive help from your attendant</p> <p>5 during the May 7th local and constitutional election?</p> <p>6 A. Yes.</p> <p>7 Q. And what did she do?</p> <p>8 A. She helped me with the Velcro.</p> <p>9 Q. The recurring Velcro issue?</p> <p>10 A. The recurring Velcro.</p> <p>11 Q. Okay.</p> <p>12 A. But also getting into the facility.</p> <p>13 Q. Okay. And same question, but for the May 24th</p> <p>14 primary runoff.</p> <p>15 Did you receive help from your attendant on that</p> <p>16 day?</p> <p>17 A. Yes.</p> <p>18 Q. And what did she do for you?</p> <p>19 A. Same thing.</p> <p>20 Q. Okay. And you were able to vote successfully,</p> <p>21 both in the May 24th runoff and the May 7th local</p> <p>22 election?</p> <p>23 A. Yes.</p> <p>24 Q. And the same is true for the March 1st primary?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 37</p> <p>1 A. By mail?</p> <p>2 Q. In general -- strike that --</p> <p>3 Let's take a step back. Tell me about that time</p> <p>4 in November 2020 where you had issues voting by mail.</p> <p>5 A. I placed -- sent in my application by the</p> <p>6 deadline to receive a ballot by mail. Close to the</p> <p>7 deadline, I received my ballot by mail, but I also</p> <p>8 received notice that there was an error on the ballot by</p> <p>9 mail through the Travis County voting folks. So I had</p> <p>10 to wait for a second one, and that one came even closer</p> <p>11 to the deadline of the vote-by-mail timelines. This is</p> <p>12 all during COVID. I want to keep that in the record</p> <p>13 because that was a whole different time where I was</p> <p>14 confined to my home for health reasons.</p> <p>15 When I received the correct ballot, at that time,</p> <p>16 the mail service began to mess up, and there were some</p> <p>17 issues going on locally with our mail service, which</p> <p>18 made me rather nervous. I personally experienced</p> <p>19 getting mail for other people, and also reading in my</p> <p>20 neighborhood news issues with mail, which kind of</p> <p>21 concerned me that -- how safe would my ballot be if I</p> <p>22 mailed it from my mailbox on time? Would it get there</p> <p>23 on time?</p> <p>24 After many reports of problems with the mail, not</p> <p>25 only locally but nationally, I took it upon myself to go</p>

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<p style="text-align: right;">Page 38</p> <p>1 take it -- my ballot -- and I did everything right; 2 signed it, licked it, signed it, everything. I took it 3 upon myself, even though it went against my better 4 judgment, to go out, to find the box that I could put my 5 ballot in. 6 At one time there were four boxes in Travis 7 County, and then I found out there was only one box in 8 Travis County, and that was over on Airport Boulevard, 9 which was a substantial number of miles away from my 10 house. And I had to get masked up, gloved up, warmed 11 up, everything, and I had my ballot tucked in my seat 12 belt so I wouldn't lose it. And because of the mail 13 service, I took it. I went to the bus stop; I got on a 14 bus; I got off; I transferred. This whole transaction 15 took more than an hour and a half getting there. 16 When I got off on Airport Boulevard, I had to -- 17 I'm not familiar with the area, but got off, got into 18 some construction. They had to lift a guide wire up so 19 I could go under it to keep on the sidewalk to get to 20 where they told me the white box was to drop off my 21 mail-in ballot. 22 I got to the area, and there were some cars in 23 line, and I thought to myself, I thought, this must be 24 the line for dropping off your ballot. Most people 25 drive. I don't drive anymore, so I got in line, and</p>	<p style="text-align: right;">Page 40</p> <p>1 box. And everybody cheered, because they knew it was 2 quite the endeavor to get there. So I turned around and 3 just repeated the whole process to get home. Overall, 4 it was about a three-hour adventure. Exposing myself to 5 potential COVID, I was mortified by that, because I had 6 been confined at home for so long, and I thought maybe 7 the mail-in ballot situation would keep me safe, but all 8 that turned to chaos, and I couldn't even trust our mail 9 system. So that's why I took it upon myself to go and 10 do it the way I did it. And it did get into the one 11 white box that was in Travis County. And I got my 12 sticker and left. 13 Q. So in November 2020, you had heard about problems 14 with the mail due to COVID, and for that reason, you 15 decided not to submit your ballot by mail, right? 16 A. I don't believe the problem with the mail was due 17 to COVID. I think there was a change in the business 18 with the mail service that has caused all the problems. 19 I still had my mail-in ballot, so it was, do I put it in 20 the mail, or do I deliver it? And the mail became an 21 issue nationally and locally. 22 Q. Okay. 23 A. So -- 24 Q. Sorry, let me rephrase that, then. 25 So in November 2020, due to problems with the</p>
<p style="text-align: right;">Page 39</p> <p>1 after about 20 minutes of following the cars and heading 2 toward the front, one of the employees came over and 3 said, Ma'am, where's your car? 4 And I was like, I came by bus. 5 He said -- and he saw my ballot tucked in my 6 belt, and he goes, Oh are you here to drop that off? 7 And I said, Yes isn't this the line? 8 He said, No, and he pointed all the way across 9 the parking lot, which was pretty extensive. And he 10 goes, You see that white tent? 11 I said, Okay. 12 So I left that line, walked a distance that was 13 pretty extensive, and holding on to my ballot, I made it 14 to the tent -- or the canopy. And there, first, they 15 wanted my signature, my ID, and sign in, and do 16 everything else. Meanwhile, I'm holding on to this 17 ballot, and it become more and more crucial to me to get 18 this ballot into that white box. And they said, Here 19 let us do it for you. 20 I said, Oh, no. I have traveled all this way to 21 make sure my vote counts. 22 And so they thought, Okay, we'll let you put it 23 in. 24 And actually, my attendant was with me and helped 25 raise my arm up with my ballot in it and put it in the</p>	<p style="text-align: right;">Page 41</p> <p>1 post office that you perceived, you decided not to drop 2 your ballot in the mail, but instead to go vote in 3 person, right? 4 MS. SIFUENTES-DAVIS: Objection, form. 5 A. Can you clarify what you just said. 6 Q. (BY MR. HERBERT) Sure. 7 So to recap, in November 2020, instead of posting 8 your mail-in ballot, you decided to go drop it off in 9 person because of problems that you perceived with the 10 USPS, right? 11 A. They weren't perceived; they were real. 12 Q. Okay. I'll rephrase it. 13 A. I had an experience -- 14 Q. I'll rephrase it. 15 So in November 2020, you decided not to post your 16 mail-in ballot, but instead, to take it and drop it off 17 in person because of problems with the USPS, right? 18 A. Correct. 19 Q. Okay. And in November 2020, you did successfully 20 vote, correct? 21 MS. SIFUENTES-DAVIS: Objection, form. 22 A. Yes, I did. 23 Q. (BY MR. HERBERT) Okay. I'm going to go ahead 24 and introduce another exhibit, which I will mark as 25 Exhibit 4.</p>

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<p style="text-align: right;">Page 42</p> <p>1 (Exhibit 4 marked.)</p> <p>2 A. I'm --</p> <p>3 Q. (BY MR. HERBERT) So this is a -- I apologize.</p> <p>4 A. I may need you to read it for me.</p> <p>5 Q. I'll do that.</p> <p>6 So, this is a page on the Travis County Clerk</p> <p>7 website. In the center of the page, it says, "Voters</p> <p>8 with disabilities."</p> <p>9 A. Okay.</p> <p>10 Q. Do you see that?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And the first three sentences right below</p> <p>13 that read, "The Travis County Clerk's office is</p> <p>14 committed to creating a 'safe haven' for voters so that</p> <p>15 they can exercise their right to vote in a polling place</p> <p>16 with a non-intimidating, supportive environment. We</p> <p>17 believe in making all polling places fully accessible,</p> <p>18 and we are seeking input from the community to ensure</p> <p>19 that accessibility. We believe that all voters have the</p> <p>20 right to cast their ballot independently and privately."</p> <p>21 Did I read that right?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. So you would agree that polling places in</p> <p>24 Travis County are accessible, right?</p> <p>25 MS. SIFUENTES-DAVIS: Objection, form.</p>	<p style="text-align: right;">Page 44</p> <p>1 my attendant or if not another person shows up to vote</p> <p>2 behind me or comes out from voting. So there's some</p> <p>3 times there -- so I -- I can't give you a number of how</p> <p>4 many times that's happened, but it does happen quite</p> <p>5 frequently.</p> <p>6 Q. When was the most recent time that's happened?</p> <p>7 A. I believe it was at a facility I wasn't familiar</p> <p>8 with, and it was, I think, sometime this year, because I</p> <p>9 went with my attendant, and she had to open the door,</p> <p>10 and we had to go down a long hallway, and I said, If you</p> <p>11 weren't here, I wouldn't have gotten in, because the</p> <p>12 people that were voting were exiting through different</p> <p>13 areas. I could have been sitting there a long time.</p> <p>14 Q. So that was in 2022?</p> <p>15 A. As far as I can recall. I believe it was a</p> <p>16 primary.</p> <p>17 Q. Was it the March 2022 primary?</p> <p>18 A. I believe it was.</p> <p>19 Q. Okay. Did it happen any other times in 2022?</p> <p>20 A. No.</p> <p>21 Q. Okay. Did it happen anytime in 2021? There was</p> <p>22 the November 2021 election. Did it happen at that</p> <p>23 election?</p> <p>24 A. No. That was the one where I carried it, right?</p> <p>25 Q. Are you referring to the November 2022 -- sorry.</p>
<p style="text-align: right;">Page 43</p> <p>1 A. My experience with voting in different polling</p> <p>2 places, they are not all accessible, because they can't</p> <p>3 see you at the door, and you can't open the door to get</p> <p>4 in. So, you know, it's your definition of where you're</p> <p>5 at, as far as being able to have accessibility. Now, I</p> <p>6 would say that it's getting better, but it just depends</p> <p>7 on the individual. When I'm short, people don't see me</p> <p>8 out windows unless I get someone to open the door for</p> <p>9 me. So that is an access issue. It will always be an</p> <p>10 access issue to get into the polling place.</p> <p>11 Q. (BY MR. HERBERT) In other words, for people who</p> <p>12 need accommodations, there's no such thing as a</p> <p>13 one-size-fits-all accommodation, right?</p> <p>14 MS. SIFUENTES-DAVIS: Objection, form.</p> <p>15 A. It has been my experience. It doesn't fit</p> <p>16 everybody. But the -- it has tried to fit everybody,</p> <p>17 but not all shoes fit the same person.</p> <p>18 Q. (BY MR. HERBERT) And you had mentioned the issue</p> <p>19 of accessibility for getting into a polling place and</p> <p>20 the situation of doors or folks not being able to see</p> <p>21 you.</p> <p>22 Has that happened to you before?</p> <p>23 A. Yes.</p> <p>24 Q. When did that happen?</p> <p>25 A. Quite a few times, if I've been by myself without</p>	<p style="text-align: right;">Page 45</p> <p>1 Strike that --</p> <p>2 Are you referring to the November 2020 general</p> <p>3 election that we were previously talking about, how you</p> <p>4 waited in line with cars?</p> <p>5 A. I've gotten lost on the question.</p> <p>6 Q. Sorry about that. Let me restate it.</p> <p>7 So you'd mentioned that at the March 2022</p> <p>8 Democratic primary, when you went to vote, you were not</p> <p>9 able to open the door by yourself, and you would not</p> <p>10 have otherwise been able to open the door but for your</p> <p>11 attendant who was there with you, right?</p> <p>12 A. Correct.</p> <p>13 Q. Did that also happen to you in the November 2021</p> <p>14 election?</p> <p>15 A. Now, which one was that?</p> <p>16 Q. That would be the November 2021 constitutional</p> <p>17 amendment election.</p> <p>18 A. Oh, yes.</p> <p>19 Q. It happened to you then, as well?</p> <p>20 A. Yes.</p> <p>21 Q. And was your attendant there with you?</p> <p>22 A. No.</p> <p>23 Q. But you were able to vote, right?</p> <p>24 A. I had to rely on another person to hold the door</p> <p>25 open -- or open the door so I could get access into the</p>

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<p style="text-align: right;">Page 46</p> <p>1 polling place.</p> <p>2 Q. And did that happen during the November 2020</p> <p>3 general election?</p> <p>4 A. Well, you heard the story on that one.</p> <p>5 Q. Oh, that's right. So it did not happen in the</p> <p>6 November 2020 -- November election, right? The issue of</p> <p>7 not being able to get through doors because no one was</p> <p>8 at the door to see you?</p> <p>9 A. Well, finding the location of the white box, I</p> <p>10 think would be equivalent --</p> <p>11 Q. Okay.</p> <p>12 A. -- to not being able to get into a building,</p> <p>13 because sitting in a line of cars while you're in a</p> <p>14 wheelchair is rather intimidating, but...</p> <p>15 Q. I imagine so, and I didn't mean to make any</p> <p>16 statement about that. I just meant to say I'm --</p> <p>17 A. You're right.</p> <p>18 Q. -- trying to talk, specifically, just about the</p> <p>19 door issue. And we can talk about all of those, but the</p> <p>20 door issue didn't happen in the 2020 election --</p> <p>21 A. Correct.</p> <p>22 Q. Did it happen in the July 2020 Democratic primary</p> <p>23 runoff?</p> <p>24 A. July 2020? No.</p> <p>25 Q. Did it happen any other times in 2020?</p>	<p style="text-align: right;">Page 48</p> <p>1 weren't an issue.</p> <p>2 Q. Okay. So if we look back to Exhibit 4, which is</p> <p>3 in front of you, and you flip to the second page -- it's</p> <p>4 printed on both sides -- you'll see a header that reads,</p> <p>5 "Voters with Disabilities/Curbide Voting."</p> <p>6 Do you see that?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. The first paragraph reads, "Voters who are</p> <p>9 physically unable to enter the polling location without</p> <p>10 assistance or likelihood of injury to the voter's health</p> <p>11 may ask the presiding election official to allow them to</p> <p>12 vote outside the polling location. The election officer</p> <p>13 will deliver a ballot to the voter at the polling place,</p> <p>14 entrance, or curb."</p> <p>15 And then it cites TEC Section 64.009.</p> <p>16 Did I read that accurately?</p> <p>17 A. You did.</p> <p>18 Q. The second paragraph, right below that, reads,</p> <p>19 "Voters who are planning to vote curbside are encouraged</p> <p>20 to contact us upon their arrival at the polling</p> <p>21 location. Call 512-238-VOTE -- in parentheses, 8683 --</p> <p>22 or 512-854-4996."</p> <p>23 Did I read that correctly?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. So you'd agree that curbside voting is</p>
<p style="text-align: right;">Page 47</p> <p>1 A. I don't believe so, because there were a few of</p> <p>2 the elections, as I stated earlier, that I didn't vote</p> <p>3 in because of COVID.</p> <p>4 Q. But you did vote in the March 2020 Democratic</p> <p>5 primary, correct?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. And you voted in person, right?</p> <p>8 A. Yes.</p> <p>9 Q. Did you face that issue of door access in the</p> <p>10 2020 March Democratic primary?</p> <p>11 A. I don't believe so.</p> <p>12 Q. Okay. So just to sum up, you faced door-access</p> <p>13 issues in the March 2022 primary, and you also faced</p> <p>14 door-access issues in the November 2021 constitutional</p> <p>15 amendment election, correct?</p> <p>16 A. Correct.</p> <p>17 Q. Okay. So Senate Bill 1 did not have any affect</p> <p>18 on whether or not you faced door-access issues, correct?</p> <p>19 A. In what way?</p> <p>20 Q. Senate Bill 1 was not in effect during the time</p> <p>21 of the November 2021 constitutional amendment election,</p> <p>22 and it was in effect during the time of the March 2022</p> <p>23 Democratic primary, so Senate Bill 1 did not affect any</p> <p>24 door-access issues, correct?</p> <p>25 A. I had electric doors at that primary, so doors</p>	<p style="text-align: right;">Page 49</p> <p>1 available in Travis County, right?</p> <p>2 A. In my opinion? I know that curbside voting, in</p> <p>3 my history, was providing people the access to voting</p> <p>4 within the vehicle, and so I'm not sure if they're</p> <p>5 saying this is outside the vehicle or not.</p> <p>6 So that's my clarification issue that I would</p> <p>7 have, but otherwise, if that's what it's stating, that</p> <p>8 people can vote inside or outside their vehicle -- it's</p> <p>9 not clarified there, unless it's in that section of the</p> <p>10 TEC. I don't know.</p> <p>11 Q. Okay. Have you ever called the polling location</p> <p>12 or -- strike that --</p> <p>13 Have you ever called a polling location about</p> <p>14 curbside voting?</p> <p>15 A. No.</p> <p>16 Q. If you look to the next page, there's another</p> <p>17 heading called, "Receiving assistance at the polls."</p> <p>18 Do you see that?</p> <p>19 A. Yes.</p> <p>20 Q. It reads, "You're entitled to receive assistance</p> <p>21 if you cannot read or write or if you have a physical</p> <p>22 disability that prevents you from reading or marking the</p> <p>23 ballot. You may be assisted by a person of your choice</p> <p>24 who is not your union representative or employer. Under</p> <p>25 certain circumstances, election workers are also</p>

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<p style="text-align: right;">Page 50</p> <p>1 available upon request to assist you."</p> <p>2 Did I read that correctly?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. And if you flip back to the first page, at</p> <p>5 the very top of the page, in the upper right-hand</p> <p>6 corner, there is a phone number listed, correct?</p> <p>7 In the top right-hand corner in the black bar at</p> <p>8 the top of the right page --</p> <p>9 A. Okay.</p> <p>10 Q. -- there's a phone number listed, correct?</p> <p>11 A. Yes.</p> <p>12 Q. Have you ever called this phone number?</p> <p>13 A. No.</p> <p>14 Q. Have you ever called the Travis County Clerk?</p> <p>15 A. No.</p> <p>16 Q. Have you ever asked the Travis County Clerk for</p> <p>17 assistance at the polls?</p> <p>18 A. No.</p> <p>19 Q. Have you ever called the Travis County Clerk for</p> <p>20 an accommodation?</p> <p>21 A. No.</p> <p>22 Q. Okay. I'm going to introduce one more exhibit,</p> <p>23 which I will mark as Exhibit 5?</p> <p>24 So, this is a notice posted on the Travis County</p> <p>25 Clerk website. Do you see at the top of the page, where</p>	<p style="text-align: right;">Page 52</p> <p>1 implementing ADA requirements, so I have vast knowledge,</p> <p>2 and I don't need to speak with Mr. Moore. I dealt with</p> <p>3 Dana Dubois directly.</p> <p>4 Q. And when was that? You said a long time before</p> <p>5 2020; is that right?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. And you -- just to be clear, you never</p> <p>8 called or contacted Mr. Tim Moore, the ADA coordinator,</p> <p>9 right?</p> <p>10 A. No.</p> <p>11 Q. Okay. Let's talk about SB1.</p> <p>12 Do you contend that SB1 has harmed you?</p> <p>13 A. I don't feel like I have full knowledge -- or I</p> <p>14 haven't read the whole bill to understand it. I'm not a</p> <p>15 lawyer.</p> <p>16 Q. Some might say that to be a good thing.</p> <p>17 A. Yeah. There are jokes about that.</p> <p>18 But to the basic knowledge, I know that it</p> <p>19 would -- because of my disability that is progressive, I</p> <p>20 will need more and more help, and the help that I will</p> <p>21 be needing is going to be going through more, I want to</p> <p>22 say, threatening issues that could -- how should I say</p> <p>23 this? It could jeopardize the relationship with my</p> <p>24 attendant because of the, What you can do; what you</p> <p>25 can't do. If you instinctively pick up a ballot and</p>
<p style="text-align: right;">Page 51</p> <p>1 it reads, "Notice to voters with disabilities?"</p> <p>2 (Exhibit 5 marked.)</p> <p>3 A. Yes.</p> <p>4 Q. (BY MR. HERBERT) And in the first box, the first</p> <p>5 two sentences read as follows: "The Americans with</p> <p>6 Disabilities Act, ADA, requires that Travis County's</p> <p>7 elections be accessible to individuals with</p> <p>8 disabilities. For any complaints regarding</p> <p>9 accessibility, the Travis County Elections Division has</p> <p>10 a plan of action to promptly resolve any complaints</p> <p>11 received."</p> <p>12 Did I read that correctly?</p> <p>13 A. Yes.</p> <p>14 Q. Now, in the bottom right-hand conner -- in the</p> <p>15 bottom right-hand box of this notice, it reads as</p> <p>16 follows: "ADA coordinator, Tim Moore" -- and then it</p> <p>17 includes, below that, a phone number and an e-mail</p> <p>18 address.</p> <p>19 Did I represent that accurately?</p> <p>20 A. Yes.</p> <p>21 Q. Have you ever reached out to the Travis County</p> <p>22 Elections Division about accessibility?</p> <p>23 A. Way prior to 2020.</p> <p>24 Q. Okay.</p> <p>25 A. Several decades. I worked with them on</p>	<p style="text-align: right;">Page 53</p> <p>1 it's not in the rule to pick up the ballot off the</p> <p>2 floor, you know, those types of things, I would be</p> <p>3 mortified for them if they were to get in trouble just</p> <p>4 for helping me.</p> <p>5 Q. So your concern is about the future effect of</p> <p>6 Senate Bill 1 on your ability to vote, correct?</p> <p>7 A. Yes.</p> <p>8 Q. Has Senate Bill 1 thus far affected your ability</p> <p>9 to vote?</p> <p>10 A. Not to my knowledge. If I had not done any -- I</p> <p>11 haven't tried any mail-in voting or whatever else they</p> <p>12 asked for in SB1 that I know of.</p> <p>13 Q. Okay. Before we move on and go more in depth, do</p> <p>14 you have any personal knowledge of anyone else for whom</p> <p>15 SB1 has affected their ability to vote? Or are the --</p> <p>16 only personal knowledge you have about yourself?</p> <p>17 A. My own knowledge is all I have right now.</p> <p>18 Q. Okay. So just to be clear, you do not have any</p> <p>19 personal knowledge about anybody other than yourself who</p> <p>20 has been affected by SB1 for the ability to vote,</p> <p>21 correct?</p> <p>22 A. I would have to say, yes.</p> <p>23 Q. Okay. And also, just to be clear, you do not</p> <p>24 have any reason to believe that Senate Bill 1 affected</p> <p>25 your ability to vote in the March 2022 primary only,</p>

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<p style="text-align: right;">Page 54</p> <p>1 correct?</p> <p>2 A. Me personally? No.</p> <p>3 Q. Okay. And I'm just going to ask a couple more</p> <p>4 questions like that before we move on to talking a</p> <p>5 little bit more about SB1 specifically.</p> <p>6 A. Okay.</p> <p>7 Q. But again, just to clarify, you do not have any</p> <p>8 basis to believe that SB1 harmed your ability to vote in</p> <p>9 the May 7th local election specifically, correct?</p> <p>10 A. To clarify your question, I did not take my</p> <p>11 attendant with me on that election because I did not</p> <p>12 want to jeopardize their relationship with me based on</p> <p>13 the new requirements, so I didn't take her. So it has</p> <p>14 impacted me.</p> <p>15 Was that the question?</p> <p>16 Q. Sorry. Not quite. I'm trying to ask just a</p> <p>17 little bit -- something different. I understand that</p> <p>18 you have concerns about the -- about certain ways in</p> <p>19 which you believe that SB1 will affect you. So I'm just</p> <p>20 trying to make sure that I understand in what context</p> <p>21 you're talking about those things.</p> <p>22 My question is a little bit more just about --</p> <p>23 you had said that you were concerned about the future</p> <p>24 affect of SB1 because of the progressive nature of your</p> <p>25 disability.</p>	<p style="text-align: right;">Page 56</p> <p>1 page, second line down, it reads, "Interrogatory No. 1:</p> <p>2 Identify each Texas Election Code provision that</p> <p>3 Senate Bill 1 amended and that you are challenging by</p> <p>4 the relevant section number of each Texas Election Code</p> <p>5 provision."</p> <p>6 Did I read that correctly?</p> <p>7 A. Yes.</p> <p>8 Q. And do you see, the line right after that begins,</p> <p>9 quote, "Response: Plaintiffs are challenging the</p> <p>10 following provisions in the Texas Election Code that</p> <p>11 were amended by Senate Bill 1."</p> <p>12 It then continues on to list a whole set of</p> <p>13 provisions; 19 provisions on this page, and one more on</p> <p>14 the following page at the very top.</p> <p>15 Did I represent that accurately?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. So if I use the term "challenged</p> <p>18 provisions," I'm talking about these challenged</p> <p>19 provisions within SB1.</p> <p>20 Does that make sense?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. And just to be clear, as far as you're</p> <p>23 aware, you are not alleging that any particular</p> <p>24 provision, of Senate Bill 1, aside from the challenged</p> <p>25 provisions have harmed you, right?</p>
<p style="text-align: right;">Page 55</p> <p>1 A. Uh-huh.</p> <p>2 Q. And so I'm just trying to clarify that for the --</p> <p>3 just with respect -- only with respect to the May 7th</p> <p>4 local election and the May Democratic primary runoff,</p> <p>5 that you have no personal experience that would suggest</p> <p>6 that SB1 prevented you from voting, correct?</p> <p>7 A. That would be correct.</p> <p>8 Q. (BY MR. HERBERT) Okay. So let's talk a little</p> <p>9 bit about SB1, moving forward.</p> <p>10 I'm going to introduce another exhibit, which I</p> <p>11 will mark as Exhibit 6. On the first page of this</p> <p>12 document, the bold and underlined caption or header</p> <p>13 reads, "Plaintiff -- Plaintiffs Houston Justice, et al.,</p> <p>14 responses to State Defendants' first set of requests for</p> <p>15 admission, requests for production, and</p> <p>16 interrogatories."</p> <p>17 Correct?</p> <p>18 (Exhibit 6 marked.)</p> <p>19 A. Yes.</p> <p>20 Q. (BY MR. HERBERT) In that first paragraph, it</p> <p>21 reads, "Come Now Plaintiffs Houston Justice, Houston</p> <p>22 Area Urban League, Delta Sigma Theta Sorority, Inc., The</p> <p>23 Arc of Texas," and it continues on, correct?</p> <p>24 A. Yes.</p> <p>25 Q. If you would flip to Page 7, at the top of the</p>	<p style="text-align: right;">Page 57</p> <p>1 A. I'm not aware of what these provisions are. I</p> <p>2 don't recognize them. And I'm not a legislative person</p> <p>3 that would be writing all this stuff, so I'm not</p> <p>4 familiar with what they are. So I really can't answer</p> <p>5 that.</p> <p>6 Q. That's okay. Thank you.</p> <p>7 So let's talk about some of the provisions of</p> <p>8 Senate Bill 1. And to help guide our conversation, I'm</p> <p>9 going to introduce another exhibit, which I'm going to</p> <p>10 mark as Exhibit 7. We can just keep it on hand and</p> <p>11 handy as a reference. You may not flip to it all the</p> <p>12 time, but I might ask you to look at it now and then,</p> <p>13 okay?</p> <p>14 (Exhibit 7 marked.)</p> <p>15 A. Okay.</p> <p>16 Q. (BY MR. HERBERT) So this is a copy of the signed</p> <p>17 Senate Bill 1, and as we look at this document, I'll</p> <p>18 represent to you that any language that the Texas</p> <p>19 legislature removed from the previously enacted statute</p> <p>20 has been crossed out. Any language that is new -- that</p> <p>21 has been added -- is underlined, and any words that just</p> <p>22 appear normally, that's language that has just stayed</p> <p>23 the same.</p> <p>24 Does that make sense?</p> <p>25 A. Yes.</p>

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<p style="text-align: right;">Page 58</p> <p>1 Q. Okay. So before we look at Senate Bill 1 a</p> <p>2 little bit more, has SB1 harmed you in your ability to</p> <p>3 vote by mail in future elections?</p> <p>4 A. From my understanding of SB1, the requirements</p> <p>5 have changed. That you have to give proof of disability</p> <p>6 in order to apply for an absentee -- or a ballot by</p> <p>7 mail, as they call it. And there was some other part of</p> <p>8 it that I think impacted me, but I can't recall it right</p> <p>9 now.</p> <p>10 Q. Do you believe that you had -- strike that --</p> <p>11 Do you believe that you did not have to show a</p> <p>12 disability to vote by mail before SB1?</p> <p>13 A. Yes.</p> <p>14 Q. Yes, you do not believe that, or yes, you did?</p> <p>15 Sorry, my own question. Let me rephrase it.</p> <p>16 Before SB1, did you have to show proof of</p> <p>17 disability to vote by mail?</p> <p>18 A. No.</p> <p>19 Q. Okay. Let's flip to Page 33 of Exhibit 7.</p> <p>20 So if you look, you'll see on Line 16, it says,</p> <p>21 "Section 5.02."</p> <p>22 A. Okay.</p> <p>23 Q. This section amends the Texas Election Code and</p> <p>24 states what an early voting application -- an early</p> <p>25 voting ballot application must include. Specifically,</p>	<p style="text-align: right;">Page 60</p> <p>1 July 22, 2021.</p> <p>2 Did I represent that accurately?</p> <p>3 (Exhibit 8 marked.)</p> <p>4 A. What is VOX?</p> <p>5 Q. (BY MR. HERBERT) This is an article from a</p> <p>6 website called Vox?</p> <p>7 Do you see where it's entitled, "Vox," at the top</p> <p>8 left-hand corner?</p> <p>9 A. Uh-huh.</p> <p>10 Q. Okay. And do you see in the center of the page,</p> <p>11 the title that says, "Here's How Hard it is to Vote in</p> <p>12 Texas"?</p> <p>13 A. Yes.</p> <p>14 Q. And just underneath that, it includes the date,</p> <p>15 July 22, 2021; is that right?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. I'll have you turn to Page 5, if you don't</p> <p>18 mind. Oh, it's not numbered. I apologize. But if you</p> <p>19 flip one more page --</p> <p>20 A. There we are.</p> <p>21 Q. There you are.</p> <p>22 Do you see in the middle of the page where it has</p> <p>23 a picture of you, and it reads, toward the top, quote,</p> <p>24 "People with disabilities also have a right to a private</p> <p>25 vote," quote.</p>
<p style="text-align: right;">Page 59</p> <p>1 it requires, from Line 22, quote, "The following</p> <p>2 information: A. The number of the applicant's driver's</p> <p>3 license, election identification certificate, or</p> <p>4 personal identification card issued by the Department of</p> <p>5 Public Safety.</p> <p>6 "B. If the applicant has not been issued a</p> <p>7 number described by Paragraph A, the last four digits of</p> <p>8 the applicant's" -- continued onto the next page --</p> <p>9 "Social security number, or --</p> <p>10 "C. A statement by the applicant that the</p> <p>11 applicant has not been issued a number described by</p> <p>12 Paragraph A or Paragraph B."</p> <p>13 Did I read that correctly?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. The requirement to include your personal</p> <p>16 identification number as discussed just here, that does</p> <p>17 not harm you, correct?</p> <p>18 A. I don't recall having to do it -- use it before,</p> <p>19 and I would not like my identifying information being</p> <p>20 out in the mail at this point for absentee voting, and I</p> <p>21 don't recall ever having to do that before.</p> <p>22 Q. Okay. I'm going to briefly introduce another</p> <p>23 exhibit, which I'm going to mark as Exhibit 8.</p> <p>24 So, this is an article from Vox, entitled,</p> <p>25 "Here's How Hard it is to Vote in Texas" from</p>	<p style="text-align: right;">Page 61</p> <p>1 A. Yes.</p> <p>2 Q. "Nancy Crowther, 64, Travis County."</p> <p>3 Did I read that correctly?</p> <p>4 A. That is correct.</p> <p>5 Q. What follows is a statement made by you, right?</p> <p>6 A. It's an article written.</p> <p>7 Q. By you, correct?</p> <p>8 MS. SIFUENTES-DAVIS: Objection, form.</p> <p>9 A. Yeah, I think the author did it.</p> <p>10 Q. (BY MR. HERBERT) Do you see in the first</p> <p>11 sentence under your name it says, "I live in Austin,</p> <p>12 Texas, and I'm a person with a disability who uses a</p> <p>13 motorized wheelchair to get around."</p> <p>14 A. Yes.</p> <p>15 Q. Did I read that correctly?</p> <p>16 A. Yes.</p> <p>17 Q. So this is a publication of something you said;</p> <p>18 is that right?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. If you flip to the next page -- sorry, if</p> <p>21 you just turn to the next page, toward the bottom, in</p> <p>22 the second-to-last paragraph, right near the bottom, it</p> <p>23 reads, "Then when I finally got there, I had to sign my</p> <p>24 life away. I had to provide an ID card. My signature</p> <p>25 on the envelope apparently wasn't enough, so I had to</p>

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<p style="text-align: right;">Page 62</p> <p>1 add my signature to a form on a clipboard. I was then 2 wondering if they wanted a blood sample. I was willing 3 to offer them whatever they needed, because I wanted to 4 get my vote counted. It was important to me." 5 Did I read that correctly? 6 A. Yes, you did. 7 Q. And this is in reference to that 2022 November 8 general election, correct? 9 A. Correct. 10 Q. Okay. So you're talking about when you got 11 there, as in, when you got to the polling location to 12 drop off your ballot, correct? 13 A. My mail-in ballot, yes. 14 Q. Yes. 15 So you're saying that providing identification 16 card information and signing twice is cumbersome; is 17 that right? 18 A. Yes. 19 Q. And you were still able to vote in that election, 20 though, correct? 21 A. Yes. 22 Q. So you did, in fact, provide your identification, 23 correct? 24 A. I had to. 25 Q. And they did, in fact, make you sign; is that</p>	<p style="text-align: right;">Page 64</p> <p>1 little bit different. 2 The signature and identification provisions in 3 2020 versus the signature and identification 4 requirements in 2022 under Senate Bill 1, those are both 5 equally cumbersome to you, correct? 6 A. Yes. 7 Q. Okay. So let's talk a little bit about the 8 matching signatures. 9 You had mentioned that sometimes you sign your 10 name one way, and the next time it's a little different; 11 is that right? 12 A. Uh-huh. 13 Q. So let's say a voter votes by mail -- let's -- 14 hypothetical. Let's say that a voter votes by mail, and 15 let's say that the personal identification numbers on 16 her ballot, on her carrier envelope, those numbers match 17 the numbers in her voter registration application. 18 Should her signature just be presumed to be legitimate? 19 MS. SIFUENTES-DAVIS: Objection, form. 20 A. I don't even understand the question. 21 Q. (BY MR. HERBERT) Sorry about that. Let me try 22 and rephrase it. 23 Let's say that somebody votes by mail, and let's 24 say that the personal identification numbers, her 25 driver's license whatever she uses, let's say that those</p>
<p style="text-align: right;">Page 63</p> <p>1 right? 2 A. Yes. 3 Q. And you did, in fact, sign, correct? 4 A. Yes. 5 Q. So Senate Bill 1's requirements for 6 identification numbers and signature requirements have 7 not encumbered you any more than the pre-existing 8 identification and signature requirements, correct? 9 A. The issue I had with the mail-in ballot and 10 getting there and these changes, to me, what I recall 11 hearing was that signatures must match. And I thought, 12 you know, I don't think I sign my name the same way 13 twice, exact match, and that's -- that was one of my 14 concerns. So it was an unnecessary but truthful concern 15 of mine, that I had to sign. 16 Q. And just to be clear -- 17 A. And I had -- 18 Q. -- this was in 2020, right? 19 A. Correct. 20 And I had my mail-in ballot, and I said, Are you 21 going to compare the two? 22 And she said, No. 23 Q. Okay. So my question -- we'll talk about the 24 signature matching. I do want to talk about that. But 25 just briefly, before we go on, my question is just a</p>	<p style="text-align: right;">Page 65</p> <p>1 match what is in the system for her. 2 Should we assume that her signature is 3 legitimate? 4 A. No. 5 Q. Would it be good if we assume that her legitimate 6 -- that her signature is legitimate if her ballot 7 numbers match her voter application numbers? 8 MS. SIFUENTES-DAVIS: Objection, form. 9 A. No. 10 Q. (BY MR. HERBERT) Can I ask why? 11 A. Because you don't know who filled out that form. 12 Q. Okay so if Senate Bill 1 created a rule saying, 13 Hey, if the identification numbers on your ballot match 14 the identification numbers in your voter registration 15 application, then we will assume that your signature is 16 valid, would that not help your concern about maybe you 17 sign your name slightly differently one time versus 18 another time? 19 A. And this is just for people with disabilities? 20 Q. I'm just asking a hypothetical question. 21 A. Okay. 22 Q. For you specifically. 23 A. For me specifically, when I use a table, my 24 signature is almost perfect. When they give me a 25 clipboard, it's different. When I'm at a polling place,</p>

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<p style="text-align: right;">Page 66</p> <p>1 they use a table, so that's different. And now they use</p> <p>2 some kind of a flip keyboard thing that I have to do</p> <p>3 with my finger or something, or a stylus or whatever,</p> <p>4 that's up above, where I can't really write well, and</p> <p>5 that's different. It just depends on where I am in</p> <p>6 my -- in the need, so comparing signatures is not really</p> <p>7 a fair -- whatever you want to call it -- a fair part of</p> <p>8 having to vote, so I find it cumbersome.</p> <p>9 Q. Okay. And just to be clear, my question is just</p> <p>10 a tiny little bit different. Just with respect to you.</p> <p>11 A. Uh-huh.</p> <p>12 Q. For you, if the Texas legislator -- strike</p> <p>13 that --</p> <p>14 If the Texas legislature required that you,</p> <p>15 Nancy Crowther, we're not going to scrutinize whether</p> <p>16 your signatures match if the identification numbers you</p> <p>17 gave us match what's in your voting file.</p> <p>18 Would that help you?</p> <p>19 A. That would help tremendously.</p> <p>20 Q. Okay. And let me ask -- let me ask another</p> <p>21 related question here.</p> <p>22 MS. SIFUENTES-DAVIS: Are we getting towards</p> <p>23 a good stopping point for lunch?</p> <p>24 MR. HERBERT: Yeah, sorry. I was actually</p> <p>25 going to bring that up. You know, we haven't quite made</p>	<p style="text-align: right;">Page 68</p> <p>1 A. Yes.</p> <p>2 Q. And that also was in person, right?</p> <p>3 A. Yes.</p> <p>4 Q. And lastly, you did vote in the May 24, 2022,</p> <p>5 Democratic primary runoff election, correct?</p> <p>6 A. Yes.</p> <p>7 Q. And likewise, that also was in person, right?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. Great.</p> <p>10 So turning back to voting by mail, moving</p> <p>11 forward, under SB1, you have voted only in person in</p> <p>12 2022 thus far, so you have not had any application to</p> <p>13 vote by mail rejected in 2022, correct?</p> <p>14 A. Correct.</p> <p>15 Q. Let's say that a voter -- let me ask you a</p> <p>16 hypothetical question.</p> <p>17 A. Okay.</p> <p>18 Q. Let's say that a voter canceled her application</p> <p>19 to vote by mail, but failed to return her mail-in</p> <p>20 ballot. So she applied to vote by mail, she received</p> <p>21 her mail-in ballot, but she then canceled her</p> <p>22 application to vote by mail. Should she be allowed to</p> <p>23 vote provisionally --</p> <p>24 MS. SIFUENTES-DAVIS: Objection, form.</p> <p>25 Q. (BY MR. HERBERT) -- in person?</p>
<p style="text-align: right;">Page 67</p> <p>1 as much progress as I'd like, but now is as good of a</p> <p>2 time as any to stop for lunch, if you-all would like to</p> <p>3 do that.</p> <p>4 THE VIDEOGRAPHER: We are off the record at</p> <p>5 12:21.</p> <p>6 (Off the record.)</p> <p>7 THE VIDEOGRAPHER: We are back on the record</p> <p>8 at 12:58.</p> <p>9 Q. (BY MR. HERBERT) I hope you had a nice lunch,</p> <p>10 Ms. Crowther.</p> <p>11 A. I did.</p> <p>12 Q. We were talking before we broke for lunch about</p> <p>13 vote-by-mail provisions and how you fear they might</p> <p>14 affect you in the future, particularly SB1's</p> <p>15 vote-by-mail provisions.</p> <p>16 Before we continue on along those lines, I did</p> <p>17 just want to confirm something that I believe I already</p> <p>18 got, but I just want to double-check.</p> <p>19 You did vote in the 2022 March Democratic</p> <p>20 primary, correct?</p> <p>21 A. Yes.</p> <p>22 Q. And that was in person, correct?</p> <p>23 A. Yes.</p> <p>24 Q. And you did vote in the May 2022 constitutional</p> <p>25 amendment election, right?</p>	<p style="text-align: right;">Page 69</p> <p>1 A. Yes.</p> <p>2 Q. That would be a good thing?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. Would you agree that voters should not be</p> <p>5 allowed to vote twice, right?</p> <p>6 A. Correct.</p> <p>7 Q. And so you would agree that it's good for the</p> <p>8 State to make sure that voters, in fact, do not vote</p> <p>9 twice, right?</p> <p>10 A. Yes.</p> <p>11 Q. Let me ask you another hypothetical.</p> <p>12 Let's say that an identification number on a</p> <p>13 voter's application to vote by mail -- let's say that</p> <p>14 that identification number did not match what was in the</p> <p>15 voter's registration file.</p> <p>16 Should the clerk have to notify that voter and</p> <p>17 give that voter a chance to correct it?</p> <p>18 A. I believe that would be the most appropriate</p> <p>19 thing because, frankly, I don't remember what I used to</p> <p>20 register. So I don't always think people will remember</p> <p>21 what they used.</p> <p>22 Q. Do you intend to vote by mail in the future?</p> <p>23 A. If the need arises because either my disability</p> <p>24 progresses to a point where I can't get out more</p> <p>25 independently or if we have another pandemic, you know,</p>

<p style="text-align: right;">Page 70</p> <p>1 whatever would limit me from being able to get out.</p> <p>2 Q. So yes, you might?</p> <p>3 A. I might.</p> <p>4 Q. Okay. Quick aside, knock on wood that we don't</p> <p>5 have another pandemic?</p> <p>6 A. Please.</p> <p>7 Q. So, talking about this situation, this</p> <p>8 hypothetical, where somebody's voter identification</p> <p>9 numbers on the application don't match what they have in</p> <p>10 their registration file. If the Texas legislature</p> <p>11 required an opportunity -- strike that --</p> <p>12 If the Texas legislature required that the clerk</p> <p>13 notify you and give you the chance to correct it, would</p> <p>14 that help you?</p> <p>15 A. Of course.</p> <p>16 Q. Okay. And I'm going to give you another</p> <p>17 hypothetical question. Let's say that a voter's</p> <p>18 personal identification card, maybe their driver's</p> <p>19 license, has been -- it is -- strike that --</p> <p>20 Let's say that a person's personal identification</p> <p>21 card, for example, a driver's license, has expired.</p> <p>22 Should that person be able to still use that number even</p> <p>23 if it's expired?</p> <p>24 A. I don't even know the legality with that, so I</p> <p>25 can't answer that.</p>	<p style="text-align: right;">Page 72</p> <p>1 option?</p> <p>2 A. To be able to use it?</p> <p>3 Q. Yeah.</p> <p>4 A. Would it hurt me? I don't believe it would.</p> <p>5 Only because I know mine would expire because I let it</p> <p>6 expire, you know I mean, too circumstance -- too many</p> <p>7 circumstances in that question.</p> <p>8 Q. Okay. Let me ask a different hypothetical, then.</p> <p>9 Should -- should the legislature require that voters</p> <p>10 have the ability to go online and correct information on</p> <p>11 their file that they got wrong?</p> <p>12 MS. SIFUENTES-DAVIS: Objection, form.</p> <p>13 A. I personally would love it if we could register</p> <p>14 online to vote and -- but again, you know, for me, it's</p> <p>15 an accessibility issue. I wouldn't have to write it, I</p> <p>16 could just, you know, send it out over the computer. So</p> <p>17 it's just a matter of preference and accessibility.</p> <p>18 Q. (BY MR. HERBERT) Of course. And I'm sorry, I</p> <p>19 don't mean to press back. I just -- just to clarify,</p> <p>20 you had mentioned, you know, you'd love the ability to</p> <p>21 register online. I just want to make sure we're talking</p> <p>22 about registering, or rather, that we're talking about</p> <p>23 applying to vote by mail or voting by mail. And so,</p> <p>24 with regards to that, would it be helpful for you if the</p> <p>25 Texas legislature required that there be an online way</p>
<p style="text-align: right;">Page 71</p> <p>1 Q. Okay. Let me try and ask something slightly</p> <p>2 different, then.</p> <p>3 Let's say that somebody tries to vote by mail,</p> <p>4 and let's say that she fills out her mail-in ballot</p> <p>5 after receiving it, and her driver's license has</p> <p>6 expired. Would it -- would you find it helpful in that</p> <p>7 scenario for you still to be allowed to use that expired</p> <p>8 driver's license number for purposes of voting by mail?</p> <p>9 A. I can't really speak to that, because we don't</p> <p>10 know why they haven't gotten it renewed. It could be</p> <p>11 suspended or some other legal reason, so I really</p> <p>12 couldn't speak to that. If it were me, and the person</p> <p>13 called me and said, Your license is expired; do you have</p> <p>14 another form of identification, because we can accept</p> <p>15 that over the phone, then they can take care of it then.</p> <p>16 But we don't know why an expired driver's license would</p> <p>17 be, unless it was -- I don't know all the legal</p> <p>18 ramifications.</p> <p>19 Q. Of course. I'm not trying to ask you that. I</p> <p>20 just meant for your own personal use, would that be</p> <p>21 helpful? So I guess my question is: You wouldn't find</p> <p>22 that necessary, to be able to use your expired driver's</p> <p>23 license; is that right?</p> <p>24 A. Right.</p> <p>25 Q. But would it hurt you, personally, to have that</p>	<p style="text-align: right;">Page 73</p> <p>1 for voters to go on and correct or enter information?</p> <p>2 A. For voter registration?</p> <p>3 Q. I'm sorry, that's what I'm just trying to</p> <p>4 clarify. So for applications to vote by mail --</p> <p>5 A. Oh, okay.</p> <p>6 Q. -- would it be good for the Texas legislature to</p> <p>7 require that there be an online way for you to go on and</p> <p>8 correct information?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. And I'm almost running out of</p> <p>11 hypotheticals, but I got another one for you. Well,</p> <p>12 actually -- okay. So I know this is probably a</p> <p>13 redundant question. I just want to make sure that we're</p> <p>14 on the same page, though.</p> <p>15 A. Uh-huh.</p> <p>16 Q. So far in 2022 nobody has rejected your</p> <p>17 signature, right?</p> <p>18 A. Correct.</p> <p>19 Q. And when you voted in person, dropping your -- or</p> <p>20 strike that --</p> <p>21 Rather, in 2020, the November general election,</p> <p>22 when you went and dropped off your ballot in person --</p> <p>23 A. Yes.</p> <p>24 Q. -- nobody rejected your signature, right?</p> <p>25 A. Correct.</p>

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<p style="text-align: right;">Page 74</p> <p>1 Q. Okay. Okay. I do have more hypotheticals for 2 you. Let's say that a voter voted early by mail, and 3 let's say that her ballot had a defect in it. It would 4 be good if she had the chance to correct that defect, 5 right? 6 A. Which defect -- I personally got the wrong ballot 7 one time. It wasn't my defect. 8 Q. Fair enough. Fair enough. I guess my question 9 is just a little bit different. Just a hypothetical 10 first. So I'm not accusing you -- 11 A. Right. 12 Q. -- of messing up your ballot. But I'm saying 13 let's say somebody else had a defect in hers. Let's say 14 she voted early by mail, and let's say that there was a 15 defect in her ballot. She should still have the chance 16 to correct that defect, right? 17 A. What kind of defect? 18 Q. Well, let's say she wrote the wrong number; it's 19 a typo. She should have the chance to correct that, 20 right? 21 A. Certainly. 22 Q. So if the Texas legislature passed a law that 23 required the early voting ballot board to tell somebody 24 that, Hey, your ballot is defective. 25 And to do that in time for that person either to</p>	<p style="text-align: right;">Page 76</p> <p>1 through the mail or in a box, in the entire county is a 2 concern. 3 Q. So it sounds like two, two concerns; mail and 4 drop offs. 5 A. And also the signature and anticipating whether 6 or not you're going to be applying by mail or if you're 7 going to go in person. It's a big difference between 8 the two, and when push comes to shove, I'd rather go in 9 person. 10 Q. Okay. So we'll talk about in person. I don't 11 mean to cut you off from that. 12 A. Right. 13 Q. But I'm just trying to make sure that I have a 14 full sense of what you're concerned about with 15 vote-by-mail specifically. So we had already talked 16 about the signatures a little bit. 17 A. Right. 18 Q. Do you have any other concern about the signature 19 requirement for voting by mail, or do you feel that 20 you've explained your -- okay. 21 So then you had mentioned issues with voting by 22 mail and the actual mail itself, USPS -- 23 A. Uh-huh. 24 Q. -- and then you'd also mentioned issues of voting 25 by mail and the drop box.</p>
<p style="text-align: right;">Page 75</p> <p>1 correct it or to go vote in person, would that resolve 2 some of those concerns with SB1? 3 MS. SIFUENTES-DAVIS: Objection, form. 4 A. In order for the vote to be cast -- 5 Q. (BY MR. HERBERT) So I can restate it. Would 6 that be helpful? 7 A. Yeah that would be helpful, yes. 8 Hypotheticals -- 9 Q. Yeah, I'm sorry to bog you down with these. I'll 10 try and make them a little bit slimmer. 11 Okay. You had said that if somebody has a ballot 12 in her -- I'm sorry. Strike that -- 13 If somebody had a defect in her ballot, she 14 should have had the chance to fix it, right? 15 A. Correct. 16 Q. And so I'm saying, you would agree that if the 17 Texas legislature passed a law requiring that she has a 18 chance to fix that defect, that would be a good thing, 19 right? 20 A. Yes. 21 Q. Okay. Do you have any concerns about -- strike 22 that -- 23 Do you have any other concerns about voting by 24 mail under SB1, moving forward? 25 A. I believe the delivery system, whether it be</p>	<p style="text-align: right;">Page 77</p> <p>1 A. Right. 2 Q. Okay. So for the mail issue, as in -- for the 3 USPS issue -- let's call it that, right? 4 A. Uh-huh. 5 Q. You would agree that SB1 has no effect on that, 6 right? 7 A. It does have an effect on that. 8 Q. Okay. Tell me how SB1 affects your ability to 9 mail something by the USPS? 10 A. Well, the -- to me, I don't find it safe to mail 11 something as important as a ballot, or with a vote in 12 it, through a system that is not reliable. 13 Q. Is the system not reliable because of SB1, or 14 because of other reasons? 15 A. The system become unreliable during the changes 16 in the lawmaking for mail delivery that related to -- 17 and I mean, we're going to go all over the place, but it 18 does all come back to SB1, because it goes back out to 19 mailing, so it is all inter-related and a catch-22-type 20 situation. 21 Q. But you can vote by mail through the USPS before 22 SB1, right? 23 A. Yes. 24 Q. Okay. And you can vote by mail through the USPS 25 after SB1, right?</p>

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<p style="text-align: right;">Page 78</p> <p>1 A. I could, if I chose.</p> <p>2 Q. Okay. So then my questions is --</p> <p>3 A. My -- I'm sorry.</p> <p>4 My hesitancy is, prior to SB1, I felt more free</p> <p>5 to do it, whereas now, after SB1, I feel as if it's more</p> <p>6 difficult because of the stress it puts on the voter to</p> <p>7 make sure everything gets done right for that one single</p> <p>8 vote to get to be counted.</p> <p>9 Q. Okay.</p> <p>10 A. And --</p> <p>11 Q. Sorry.</p> <p>12 A. -- so I have to anticipate things differently</p> <p>13 than you would. You can fill it out, throw it in the</p> <p>14 mailbox, and go. Me, I have to get help. I have to do</p> <p>15 this. I have to do that, and it's a lot harder for me.</p> <p>16 So now, the tension is higher because now we have a new</p> <p>17 law, so --</p> <p>18 Q. Okay. So I'm -- I guess what I'm trying to get</p> <p>19 at is that -- and I'm not trying to put words in your</p> <p>20 mouth, so please do correct me if I'm wrong, but it</p> <p>21 seems that there are independent concerns that you have</p> <p>22 with the USPS, which the Texas legislature does not</p> <p>23 control, on the one hand, and then you also have</p> <p>24 concerns about what voting by mail looks like under SB1;</p> <p>25 is that right?</p>	<p style="text-align: right;">Page 80</p> <p>1 County, and I had to hunt that one down, because there</p> <p>2 were initially going to be four, and then they shrunk it</p> <p>3 down to one. So once you find that, you have to figure</p> <p>4 out how you're going to get there, who's going to go</p> <p>5 with you if you need someone to go with you, what you're</p> <p>6 going to need, what the weather is, how much time it's</p> <p>7 going to take, and that's just -- it's a big issue.</p> <p>8 Q. Okay. You had mentioned earlier -- all right.</p> <p>9 Let me make sure I get this right. Okay. I think we</p> <p>10 can put a pin in the vote-by-mail questions for now.</p> <p>11 Let's move on to talk about -- I might have us come back</p> <p>12 and ask a little bit more about that, if I can remember</p> <p>13 my question. But let's talk a little bit about your</p> <p>14 attendant and actually going and voting in person. Has</p> <p>15 SB1 hampered your ability to have help at the polls?</p> <p>16 A. With my attendant, I feel that at -- you know,</p> <p>17 having to sign whatever the paperwork is puts her more</p> <p>18 in a position of -- of -- I don't want to say danger,</p> <p>19 but in a position that, frankly, they aren't paid for,</p> <p>20 you know. They're not paid to -- you know, they're here</p> <p>21 to help me do whatever I need done and -- but now it's</p> <p>22 become a big issue on who's helping you and what they</p> <p>23 can help you do. Now, I've already talked about what I</p> <p>24 can and cannot do, and that's just where I'm at now. In</p> <p>25 a year or so, who knows where I'll be at. It will be</p>
<p style="text-align: right;">Page 79</p> <p>1 A. Yes.</p> <p>2 Q. Okay. So you would agree that the Texas</p> <p>3 legislature has no effect on the USPS's quality of</p> <p>4 service, right?</p> <p>5 A. In all actuality, if you're going to do a mail-in</p> <p>6 vote, you have to go through the USPS; is that correct?</p> <p>7 Q. You're asking me questions, now.</p> <p>8 A. I'm saying that, yeah, it has an effect, because</p> <p>9 it changes people's trust level on whether or not they</p> <p>10 want to go through mail ballots or in person, if they</p> <p>11 can, or if they have to go to a drop box.</p> <p>12 Q. Okay. So just to make sure I'm understanding,</p> <p>13 you're saying that, yes -- when you say yes, you're</p> <p>14 saying, Yes the Texas legislature does have an effect on</p> <p>15 the USPS's mail service, right?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. So then, can you explain to me also now --</p> <p>18 you had mentioned a drop box issue when it comes to</p> <p>19 vote-by-mail.</p> <p>20 What is your qualm with Senate Bill 1's effect on</p> <p>21 drop boxes, if any?</p> <p>22 A. I'm not real sure when it all changed, but the</p> <p>23 drop -- the number of polling places, the drop boxes for</p> <p>24 mail-in ballots, all shrank in number, in access. And</p> <p>25 so now -- now I say, because I only found one in Travis</p>	<p style="text-align: right;">Page 81</p> <p>1 worse. My needs will be more, so -- but I don't want to</p> <p>2 put my attendant, who I value greatly, into that type of</p> <p>3 a situation where, God forbid, you know, they should be</p> <p>4 whatever the legal ramifications are for overstepping</p> <p>5 the bounds of the requirements of SB1 to pick up my</p> <p>6 ballot off the floor because I dropped it.</p> <p>7 Q. Right.</p> <p>8 A. I mean, it's just not fair.</p> <p>9 Q. Okay. Let's talk a bit about this. As we get</p> <p>10 into it, I just want to introduce a brief exhibit, just</p> <p>11 to make sure I understand the whole universe of things</p> <p>12 here.</p> <p>13 I'm going to mark this exhibit as</p> <p>14 Exhibit Number 9.</p> <p>15 (Exhibit 9 marked.)</p> <p>16 Q. (BY MR. HERBERT) So this is a Texas Tribune</p> <p>17 article from February 16, 2022. Do you see at the top,</p> <p>18 the title reads, "Texans with disabilities fear new</p> <p>19 restrictions on voting could help" -- strike that --</p> <p>20 sorry. Let me reread that.</p> <p>21 Do you see at the top where it reads, "Texans</p> <p>22 with disabilities fear new restrictions on voting help</p> <p>23 could mean criminal charges at polls."</p> <p>24 Did I read that right?</p> <p>25 A. That's correct.</p>

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Pages 90 to 93

<p style="text-align: right;">Page 90</p> <p>1 MS. SIFUENTES-DAVIS: Objection, form.</p> <p>2 A. Correct.</p> <p>3 Q. (BY MR. HERBERT) Okay. And did you consult a</p> <p>4 lawyer about this question?</p> <p>5 A. No.</p> <p>6 Q. Did you talk to anybody from the Secretary of</p> <p>7 State's Office?</p> <p>8 A. No.</p> <p>9 Q. Did you talk to the Texas Secretary of State</p> <p>10 himself?</p> <p>11 A. No.</p> <p>12 Q. Did you check the secretary of state website?</p> <p>13 A. No.</p> <p>14 Q. Did you talk to -- did you ask anybody from an</p> <p>15 advocacy group about this question?</p> <p>16 A. That's possibly where I learned the information</p> <p>17 on the ramifications of this requirement, or potential</p> <p>18 ramifications. And, frankly, my life depends on my</p> <p>19 attendant, and I'll protect them in any way I need to.</p> <p>20 So whatever it has to do with, knowing the law --</p> <p>21 you know, you don't run red lights, but I didn't consult</p> <p>22 the Secretary of State on that. So I just want to</p> <p>23 protect those that are taking care of me.</p> <p>24 Q. Do you remember the advocacy group that you</p> <p>25 believe may have given you this information?</p>	<p style="text-align: right;">Page 92</p> <p>1 for the help that your attendant might provide you in</p> <p>2 the future?</p> <p>3 A. Yes.</p> <p>4 Q. So you --</p> <p>5 A. I knew some of it, but I'm not a lawyer, and</p> <p>6 so -- again, it's like, you have to -- you have to know</p> <p>7 the law before you get into the voting poll, and I</p> <p>8 didn't know everything, but I knew that segment.</p> <p>9 Q. Okay. But you also said that it was an advocacy</p> <p>10 group who told you about the potential legal</p> <p>11 consequences, right?</p> <p>12 A. Right.</p> <p>13 Q. And you also said that you learned about the</p> <p>14 potential legal consequences while you were voting.</p> <p>15 A. Right.</p> <p>16 Q. So then, was the advocacy group there while you</p> <p>17 were voting?</p> <p>18 A. No, during the voting time. You know, the</p> <p>19 open -- absentee voting time, those two-weeks? That was</p> <p>20 when I learned about it.</p> <p>21 Q. Okay. So I'm just trying to make sure I</p> <p>22 understand, because you had also said that you could</p> <p>23 only learn about these things once you were at the</p> <p>24 polling location voting, right?</p> <p>25 A. Well, I'm talking about when you get ready to go</p>
<p style="text-align: right;">Page 91</p> <p>1 A. It could have been Adapt. It could have been</p> <p>2 REVUP. It could have been one of my others. AARP, we</p> <p>3 talk about that a lot.</p> <p>4 Q. Okay. But you can't say for sure?</p> <p>5 A. No.</p> <p>6 Q. That's okay.</p> <p>7 A. No. Too many conversations.</p> <p>8 Q. Fair enough.</p> <p>9 Did you talk to the Travis County election</p> <p>10 administrator about this question?</p> <p>11 A. No. It's actually -- you know, in light of these</p> <p>12 questions, I'm thinking, you would have to have already</p> <p>13 been within the -- the confines of the voting area to</p> <p>14 go, Oh, is that a problem?</p> <p>15 So you would have to anticipate all this prior to</p> <p>16 getting there.</p> <p>17 Q. When did you first learn about the potential</p> <p>18 legal consequences that you believe your attendants</p> <p>19 might face from SB1?</p> <p>20 A. After SB1 was passed.</p> <p>21 Q. Did you learn about it before you went to vote?</p> <p>22 A. May have. I don't recall when I learned it.</p> <p>23 Q. So why did you -- did you learn it the first time</p> <p>24 that you voted in the March 2022 Democratic primary,</p> <p>25 that you believe that there may be legal consequences</p>	<p style="text-align: right;">Page 93</p> <p>1 vote, you got to know who you're voting for, right?</p> <p>2 These are all things you have to prepare for. You need</p> <p>3 to know where your polling place is; you need to know</p> <p>4 how you're going to get to the polling place; you've got</p> <p>5 to figure out if someone is going to drive you to the</p> <p>6 polling place, all those things. So I don't know how I</p> <p>7 would know what would apply, until I was at the polling</p> <p>8 place, to anticipate that ramification of that part of</p> <p>9 the bill. And then it was like, Oh, maybe I shouldn't</p> <p>10 have them here.</p> <p>11 Q. Okay. So to clarify -- and please correct me if</p> <p>12 I'm wrong -- you were aware of potential legal</p> <p>13 consequences for your attendant during the early voting</p> <p>14 period, but before you actually went in person to cast a</p> <p>15 vote; is that right?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. So with that in mind, before you went in</p> <p>18 to vote -- just to be clear and double-check, and please</p> <p>19 correct me if I'm wrong -- you did not talk to a lawyer;</p> <p>20 is that right?</p> <p>21 A. No.</p> <p>22 Q. And you did not talk to anyone from the office of</p> <p>23 the secretary of state; is that right?</p> <p>24 A. No.</p> <p>25 Q. And you did not check the secretary of state's</p>

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<p style="text-align: right;">Page 94</p> <p>1 website; is that right?</p> <p>2 A. Correct.</p> <p>3 Q. And you did not talk to the Travis County</p> <p>4 election administrator? You did not call them up; is</p> <p>5 that right?</p> <p>6 A. That's correct.</p> <p>7 Q. And setting all of that aside now, do you know of</p> <p>8 any attendants -- or do you know of anybody -- strike</p> <p>9 that --</p> <p>10 Do you know anybody who, since SB1 has been</p> <p>11 enacted, has been prosecuted or faced legal consequences</p> <p>12 for providing help to disabled voters at the polls?</p> <p>13 A. I only know my own situation and have not --</p> <p>14 everything else is hearsay, so I haven't heard anything.</p> <p>15 Q. Okay. So to be clear, you don't know of anybody</p> <p>16 who's been prosecuted under SB1 --</p> <p>17 A. Huh-uh.</p> <p>18 Q. -- right?</p> <p>19 A. That's correct.</p> <p>20 Q. Okay. Have -- strike that --</p> <p>21 Your assisters are paid, right?</p> <p>22 A. My sisters?</p> <p>23 Q. Strike that -- excuse me. I'll enunciate a</p> <p>24 little bit better.</p> <p>25 Your attendants, they're salaried; is that right?</p>	<p style="text-align: right;">Page 96</p> <p>1 understanding you.</p> <p>2 A. Yeah.</p> <p>3 Q. One of the concerns that you have is that if the</p> <p>4 company that your attendants are typically employed by,</p> <p>5 if they found out that your attendants had broken a law</p> <p>6 in providing you help at the polls, you believe that the</p> <p>7 company might fire them; is that right?</p> <p>8 A. That's correct.</p> <p>9 Q. Okay. If there were an exception in</p> <p>10 Senate Bill 1 that expressly said that, Hey, attendants</p> <p>11 or caregivers -- you can get help from attendants and</p> <p>12 caregivers under SB1, and it doesn't matter whether</p> <p>13 they're compensated or whether they're paid?</p> <p>14 Would that make you feel better?</p> <p>15 MS. SIFUENTES-DAVIS: Objection, form.</p> <p>16 A. Would they still need to sign the form?</p> <p>17 Q. (BY MR. HERBERT) Let me try this hypothetical a</p> <p>18 little bit differently.</p> <p>19 Let's say that if the Texas legislature were to</p> <p>20 pass a law saying that, at least with respect to the</p> <p>21 question of being paid -- just talking about being</p> <p>22 paid -- that it's okay for people to help you at the</p> <p>23 polls, who are being paid to do so, so long as they're</p> <p>24 your attendants or your caregivers.</p> <p>25 Would that alleviate some of your concerns?</p>
<p style="text-align: right;">Page 95</p> <p>1 A. Yes.</p> <p>2 Q. Okay. And in the past, in 2020 and before SB1,</p> <p>3 your attendants were paid, right?</p> <p>4 A. Yes.</p> <p>5 Q. And after 2020, this year, here in 2022, your</p> <p>6 attendants are still paid; is that right?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. Does that element, that they are paid,</p> <p>9 does that cause you any concern -- strike that -- let me</p> <p>10 reiterate.</p> <p>11 Does the fact that your attendants are paid make</p> <p>12 you fear that they might face legal consequences under</p> <p>13 SB1?</p> <p>14 A. No.</p> <p>15 Q. Okay.</p> <p>16 A. The fact that they could be fired because of any</p> <p>17 ramifications from that would be my greatest fear.</p> <p>18 Q. Can you elaborate on that a little bit? What do</p> <p>19 you mean by the fact that they could be fired? What are</p> <p>20 you referring to there?</p> <p>21 A. Because they broke a law that the State just</p> <p>22 made.</p> <p>23 Q. I see.</p> <p>24 A. Potentially.</p> <p>25 Q. So let me just clarify to make sure I'm</p>	<p style="text-align: right;">Page 97</p> <p>1 MS. SIFUENTES-DAVIS: Objection, form.</p> <p>2 A. It really doesn't matter if they're paid or</p> <p>3 unpaid. They're providing me in this, some assistance.</p> <p>4 And they still had to sign an oath of some sort --</p> <p>5 Q. Okay.</p> <p>6 A. -- to -- so, I mean, I can't answer that</p> <p>7 truthfully or honestly.</p> <p>8 Q. Did your attendants not have to provide an oath</p> <p>9 in the past?</p> <p>10 A. No.</p> <p>11 Q. So the oath requirement under SB1 is something</p> <p>12 new that your attendants would have to do moving</p> <p>13 forward; is that right?</p> <p>14 A. It's my understandings, yes.</p> <p>15 Q. Okay. Let's talk a little bit about -- let's</p> <p>16 talk a little bit about that oath.</p> <p>17 What is your specific concern about the oath?</p> <p>18 A. It's a -- from my understanding and my limited</p> <p>19 legal background, it would be a legal document that has</p> <p>20 their signature and could jeopardize -- if something</p> <p>21 were to happen, could jeopardize their well-being.</p> <p>22 Q. Is it -- are you concerned -- and again, please</p> <p>23 correct me if I'm wrong. I'm just trying to understand</p> <p>24 your concern with those. Are you concerned that the</p> <p>25 oath that they would sign prevents them from giving you</p>

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<p style="text-align: right;">Page 106</p> <p>1 A. I do take issue that there's an oath that they</p> <p>2 have to sign. We haven't had to do it in the past,</p> <p>3 although it was there, and I really don't know what the</p> <p>4 contents of that oath was, that we -- we never had</p> <p>5 opportunity to view. I mean, in my thought, we hadn't</p> <p>6 had to sign it because it wasn't enforced, so I don't</p> <p>7 remember what was on it, if there was anything on it.</p> <p>8 Q. Okay. Now --</p> <p>9 A. And now I know what this SB1 oath says.</p> <p>10 Q. Okay --</p> <p>11 A. Because it shows that it's new.</p> <p>12 Q. Okay. And I apologize for going on and on about</p> <p>13 this, Ms. Crowther --</p> <p>14 A. No.</p> <p>15 Q. -- I'm really not trying to. I just want to make</p> <p>16 sure that I really understand what your qualms are.</p> <p>17 A. No.</p> <p>18 Q. And so it sounds like you just said that you</p> <p>19 still are concerned by the fact that there even is an</p> <p>20 oath that would be enforced, regardless of what the oath</p> <p>21 said, the very fact that there is an oath.</p> <p>22 A. It's not --</p> <p>23 Q. Or is it the case that it's not so much that</p> <p>24 there is an oath, it's more about what the oath says?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 108</p> <p>1 deposition of Keith Ingram, the director of the</p> <p>2 elections division of the Texas Secretary of State.</p> <p>3 I'm going to have to you turn to Page 2 of the</p> <p>4 document. On this page, I'm gonna have you look at</p> <p>5 Line No. 13. And you'll see a question, and it reads,</p> <p>6 "If a voter asks an assister to provide physical</p> <p>7 assistance in attaching an assistive device to a voting</p> <p>8 machine" --</p> <p>9 A. Hold on.</p> <p>10 Q. Oh, I'm sorry. I'll stop.</p> <p>11 A. I don't think we have the same --</p> <p>12 Q. Oh, it's very confusingly paginated. I apologize</p> <p>13 for that.</p> <p>14 So if you look at the cover page and you flip to</p> <p>15 the next page, it's -- at the top right, you'll see it's</p> <p>16 internally paginated, Page 60. Top right.</p> <p>17 A. Okay. Bottom.</p> <p>18 Q. Oh, and bottom right, too. There you go.</p> <p>19 A. Okay.</p> <p>20 Q. Bottom right, it says Page 60.</p> <p>21 A. Okay.</p> <p>22 Q. I apologize for that. I just gave you an excerpt</p> <p>23 so we don't have to go through the whole thing.</p> <p>24 A. Okay.</p> <p>25 Q. So if you look on this page at Line 13, on the</p>
<p style="text-align: right;">Page 107</p> <p>1 Q. Okay. So it's the latter of the two?</p> <p>2 A. I believe it might be the latter, if I understand</p> <p>3 correctly. And it just depends on the requirements of</p> <p>4 the oath.</p> <p>5 Q. Okay. So it's not so much that there is an oath,</p> <p>6 it's what does that oath prevent your attendants from</p> <p>7 doing; is that right?</p> <p>8 MS. SIFUENTES-DAVIS: Objection, form.</p> <p>9 A. It's what it would prevent them from doing.</p> <p>10 Q. (BY MR. HERBERT) So is that is "yes"?</p> <p>11 A. Yes.</p> <p>12 Q. So let's talk about that. I'm going to introduce</p> <p>13 another exhibit, and I promise you, we are getting</p> <p>14 toward the end of the exhibits, here.</p> <p>15 This is -- I'm going to mark this exhibit as</p> <p>16 Exhibit No. 10.</p> <p>17 (Exhibit 10 marked.)</p> <p>18 MR. HERBERT: I also see that we're getting</p> <p>19 close to about an hour from when we started; is that</p> <p>20 right?</p> <p>21 MS. SIFUENTES-DAVIS: Yeah. Do you want to</p> <p>22 ask questions about this exhibit and then take a break?</p> <p>23 MR. HERBERT: Yeah, that would be perfect.</p> <p>24 This shouldn't take too long.</p> <p>25 Q. (BY MR. HERBERT) So this is a copy of the</p>	<p style="text-align: right;">Page 109</p> <p>1 left-hand side, you'll see there are numbers.</p> <p>2 A. Yes.</p> <p>3 Q. Number 13. It reads -- the question -- it reads,</p> <p>4 "If a voter asks an assister to provide physical</p> <p>5 assistance in attaching an assistive devise to a voting</p> <p>6 machine and to confirm once the device is attached,</p> <p>7 would the assister violate the oath if she did so?"</p> <p>8 Did I read that correctly?</p> <p>9 A. Yes.</p> <p>10 Q. And just below that, on Line No. 19, there's an</p> <p>11 answer. It reads, quote, "No."</p> <p>12 And following that, beginning on Lines 20 to 21,</p> <p>13 there's another question, and it reads, "Is this</p> <p>14 consistent with the plain language of the oath" -- and</p> <p>15 it continues on to Line 23 -- "under SB1."</p> <p>16 And then in Line 25, the answer reads, "It is."</p> <p>17 Did I represent that accurately?</p> <p>18 A. If -- that's what this says, yeah.</p> <p>19 Q. Okay. So you would agree that the office of the</p> <p>20 Texas Secretary of State says that the oath provision</p> <p>21 under SB1 does not prevent you from receiving physical</p> <p>22 assistance, right?</p> <p>23 MS. SIFUENTES-DAVIS: Objection, form.</p> <p>24 A. They can assist with physical help with the</p> <p>25 machine; that is correct.</p>

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<p style="text-align: right;">Page 110</p> <p>1 Q. (BY MR. HERBERT) Okay. So the oath provision</p> <p>2 under SB1 does not prevent your attendants from giving</p> <p>3 you physical assistance in the future, right?</p> <p>4 MS. SIFUENTES-DAVIS: Objection, form.</p> <p>5 A. Correct.</p> <p>6 Q. (BY MR. HERBERT) Okay. What injury -- strike</p> <p>7 that --</p> <p>8 What does the oath provision under SB1 prevent</p> <p>9 your assisters from doing in the future?</p> <p>10 A. This isn't it. This isn't the oath, correct?</p> <p>11 Q. Correct. I'm having you look at the excerpt of</p> <p>12 the deposition transcript --</p> <p>13 A. Okay.</p> <p>14 Q. -- of Keith Ingram, the director of the elections</p> <p>15 for the Texas Secretary of State. We can set this</p> <p>16 aside. We had previously been looking at another</p> <p>17 exhibit, which is the enacted Senate Bill 1 itself.</p> <p>18 That's Exhibit No. 7, which we had been looking at.</p> <p>19 A. Okay.</p> <p>20 Q. So I'm not asking you about the transcript</p> <p>21 anymore. What I'm asking is: What are you concerned --</p> <p>22 under the new -- strike that --</p> <p>23 What are you concerned about the new oath under</p> <p>24 SB1 in terms of how it will prevent your attendants from</p> <p>25 giving you the help that you need in the future?</p>	<p style="text-align: right;">Page 112</p> <p>1 issues with the oath.</p> <p>2 Q. And why is that?</p> <p>3 A. Because they're really only doing it to me and my</p> <p>4 attendant. I don't foresee anybody else having to do</p> <p>5 that, and that's an issue for me.</p> <p>6 Q. Could you elaborate on that? I'm not sure that I</p> <p>7 follow.</p> <p>8 A. What I, as a person with a disability, and my</p> <p>9 attendant have to do at the polling place. Nobody else</p> <p>10 really has to do that because they don't need the</p> <p>11 assistance. That's kind of focusing in on my disability</p> <p>12 and, frankly, breaking the line of process -- due</p> <p>13 process, and the line, and everything else, because I</p> <p>14 have a disability.</p> <p>15 Q. Okay. So, please correct me if I'm wrong, but it</p> <p>16 sounds to me like you're saying that if the new oath</p> <p>17 allowed your attendant to give you physical assistance</p> <p>18 at the polls, and whatever else assistance that you need</p> <p>19 at the polls, that would fix some of the problems, but</p> <p>20 there would still be the problem that your attendant</p> <p>21 even has to take an oath under SB1; is that right?</p> <p>22 A. That's correct.</p> <p>23 Q. Okay. Let's switch gears a little bit.</p> <p>24 MS. SIFUENTES-DAVIS: Is now a good stopping</p> <p>25 point?</p>
<p style="text-align: right;">Page 111</p> <p>1 A. To my understanding, there are four major things</p> <p>2 they can help you with. They can read the information</p> <p>3 to you; they can, I think, ask you -- now, this is just</p> <p>4 my understanding -- ask you which position the person</p> <p>5 wants to vote on if they have trouble doing it; and</p> <p>6 then -- and then go through the choices that the person</p> <p>7 made, but can't make it for them; and then, you can't</p> <p>8 change anything or -- what was it? -- falsely change any</p> <p>9 votes, I believe.</p> <p>10 It all has to do with using the screen and not</p> <p>11 with, really, the whole layout and the whole process</p> <p>12 getting it. So, I can't reach the screen, so I have to</p> <p>13 use the control. My concern is eventually I can't do</p> <p>14 that, and they have to read it out loud, that it won't</p> <p>15 become a private vote anymore; it will become an</p> <p>16 everybody-can-hear-it kind of vote. And that's --</p> <p>17 that's one of my issues.</p> <p>18 But what if they do something outside of that</p> <p>19 type of assistance? That worries me.</p> <p>20 Q. And if you had some assurance from the Texas</p> <p>21 legislature or from the Texas Secretary of State that</p> <p>22 they were still allowed to provide you physical</p> <p>23 assistance? Would that resolve your concerns with the</p> <p>24 oath? Not with everything else, but with the oath?</p> <p>25 A. I would still have to say it would not resolve my</p>	<p style="text-align: right;">Page 113</p> <p>1 MR. HERBERT: Oh, yes, it is. It is a good</p> <p>2 stopping point. Thank you so much. I didn't mean to --</p> <p>3 I lost track of time. Let's go off the record.</p> <p>4 THE VIDEOGRAPHER: We are off the record at</p> <p>5 2:10 p.m.</p> <p>6 THE VIDEOGRAPHER: We are back on the record</p> <p>7 at 2:24 p.m.</p> <p>8 Q. (BY MR. HERBERT) So, your attendants drove you</p> <p>9 to the polls in the May 2022 Democratic primary runoff</p> <p>10 election; is that right?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And that was after Senate Bill 1 was in</p> <p>13 effect, right?</p> <p>14 A. Yes.</p> <p>15 Q. So Senate Bill 1 has not affected your ability to</p> <p>16 be driven to the polls, right?</p> <p>17 A. Actually, it has affected my ability to find out</p> <p>18 where my polling place is.</p> <p>19 Q. Okay. Sorry, I'm just going to object as</p> <p>20 nonresponsive.</p> <p>21 A. I'm sorry.</p> <p>22 Q. That's okay. We can -- I want to talk about</p> <p>23 that, but my question is just a little different.</p> <p>24 A. Yeah, because --</p> <p>25 Q. So my question is -- to reiterate -- your</p>

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<p style="text-align: right;">Page 114</p> <p>1 attendants drove you to the polls in the March 20 --</p> <p>2 pardon me -- in the May 2022 Democratic primary runoff</p> <p>3 election, right?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And SB1 was in effect at that time,</p> <p>6 correct?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. So the act of driving you to the polls,</p> <p>9 SB1 did not affect your ability -- or the ability of</p> <p>10 your attendants to do that; is that right?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. Now, you had mentioned that SB1 affected</p> <p>13 your ability to find poll locations, right?</p> <p>14 A. Yes.</p> <p>15 Q. You had just said that, I believe?</p> <p>16 A. Yes.</p> <p>17 Q. Could you tell me a little bit about that?</p> <p>18 A. There used to be a lot of polling places that</p> <p>19 were very close to me, within blocks. I mean, three</p> <p>20 different locations where I could just roll and be more</p> <p>21 independent. And now I either have to take a bus to it</p> <p>22 or have my attendant drive. And on that particular one,</p> <p>23 I believe it was at that school recreation center, we</p> <p>24 had to drive, because there wasn't any bus service. So</p> <p>25 those are three main ways for me to get to my voting</p>	<p style="text-align: right;">Page 116</p> <p>1 This is a copy of the Texas Election Code,</p> <p>2 specifically Chapter 11, and I would like you to look at</p> <p>3 the very last section, which is on the very last page.</p> <p>4 So you can literally just flip it all over, because it</p> <p>5 is double-sided.</p> <p>6 Do you see the top line, where it reads,</p> <p>7 "Section 1.022, Reasonable Accommodation or</p> <p>8 Modification"?</p> <p>9 (Exhibit 11 marked.)</p> <p>10 A. Uh-huh.</p> <p>11 Q. (BY MR. HERBERT) Okay. This section reads, "A</p> <p>12 provision of this code may not be interpreted to</p> <p>13 prohibit or limit the right of a qualified individual</p> <p>14 with a disability from requesting a reasonable</p> <p>15 accommodation or modification to any election standard</p> <p>16 practice or procedure mandated by law or rule that the</p> <p>17 individual is entitled to request under federal or state</p> <p>18 law."</p> <p>19 Did I read that accurately?</p> <p>20 A. Yes.</p> <p>21 Q. Did you know that Texas's election law prohibits</p> <p>22 election authorities from denying voters reasonable</p> <p>23 accommodations?</p> <p>24 MS. SIFUENTES-DAVIS: Objection, form.</p> <p>25 A. It may prohibit them. It doesn't mean it doesn't</p>
<p style="text-align: right;">Page 115</p> <p>1 location.</p> <p>2 Q. Okay. So you're saying that you noticed that</p> <p>3 there are fewer polling locations near you; is that</p> <p>4 right?</p> <p>5 A. Yes.</p> <p>6 Q. And when did you first notice that?</p> <p>7 A. Almost -- it seems like it was pretty immediate,</p> <p>8 let's see, 2021.</p> <p>9 Q. The November 2021 election?</p> <p>10 A. I think so, yeah.</p> <p>11 Q. Okay. And that's when you first noticed it?</p> <p>12 A. Yeah.</p> <p>13 Q. Did you notice it in the -- you did not notice</p> <p>14 that issue in the November 2020 primary; is that</p> <p>15 right -- pardon me -- I'm sorry. Strike that -- let me</p> <p>16 rephrase.</p> <p>17 You did not notice that in the November 2020</p> <p>18 general election; is that right? Or did you notice it</p> <p>19 then, too?</p> <p>20 A. No, because I took -- based on where I was, I</p> <p>21 went to the polling place that I knew was there. If I</p> <p>22 was at home, then the ones that are closest to my home</p> <p>23 were no longer available.</p> <p>24 Q. Okay. I'm going to introduce another exhibit,</p> <p>25 which I will mark as Exhibit No. 11.</p>	<p style="text-align: right;">Page 117</p> <p>1 happen.</p> <p>2 Q. (BY MR. HERBERT) Have you yourself ever been</p> <p>3 denied an accommodation that you requested?</p> <p>4 A. When you're outside the building, it's hard to</p> <p>5 make an accommodation request. Think about it. Because</p> <p>6 if I can't get into a building -- but I think they've</p> <p>7 been fairly reasonable in helping or modifying.</p> <p>8 Q. Okay. So just to be clear -- and this is not to</p> <p>9 skirt the point that you just raised, because I will ask</p> <p>10 about that, but you have not been denied reasonable</p> <p>11 accommodation requests before, have you?</p> <p>12 MS. SIFUENTES-DAVIS: Objection, form.</p> <p>13 A. I haven't asked for one.</p> <p>14 Q. (BY MR. HERBERT) Okay. You have not asked?</p> <p>15 A. I've only asked for the piece to come off the end</p> <p>16 of the voting machine.</p> <p>17 Q. Okay. And that was not denied, was it?</p> <p>18 A. No.</p> <p>19 Q. Okay. And have you ever called to request a</p> <p>20 reasonable accommodation?</p> <p>21 A. No.</p> <p>22 Q. Okay. Have you ever relied on somebody else to</p> <p>23 distribute or give to you an application to vote by</p> <p>24 mail, or have you just gone online and gotten it</p> <p>25 yourself?</p>

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<p style="text-align: right;">Page 118</p> <p>1 A. Oh, application for voting by mail? I have 2 gotten it myself online and mailed it in. 3 Q. And has anybody ever approached you to give you 4 an application to vote by mail? 5 A. No. 6 Q. Okay. What about for an early voting ballot or 7 ballot materials? Has anybody ever approached you to 8 give you those things, or have you always, when you've 9 voted by mail, applied by yourself? 10 A. I've applied by myself. 11 Q. Okay. 12 A. There is one thing about the application by mail 13 off the computer; it is difficult to read. My elderly 14 neighbor requested one more for me because she knew I 15 had done it, and I gave it to her not realizing she had 16 a visual impairment. 17 Q. Sorry. I didn't quite follow that. Are you 18 saying that your elderly neighbor needed help getting an 19 application to vote by mail, and you did it for her? 20 A. I printed one out, and then she told me she 21 couldn't read it, and I went, Oh, no. 22 Q. Do you know if she was able to eventually vote? 23 A. Yes. 24 Q. Okay. So let me talk about early voting. And I 25 know we're hopping around here a little bit. But I</p>	<p style="text-align: right;">Page 120</p> <p>1 A. Because it's just creepy. That's technical, but 2 I already have a hard time when people walk by my booth, 3 because I'm short, and they can see over my head as to 4 what my voting is, and it's not private as really I 5 thought private voting should be, so just to have 6 someone watching you is just more nerve-wracking to me. 7 Q. So you believe that it's important for voters to 8 have the ability to vote in private or in secret; is 9 that right? 10 A. Yes. 11 Q. Okay. The secrecy of the ballot prevents voters 12 from being penalized for their vote, right? 13 A. Being penalized from their vote? 14 Q. For. 15 A. For their vote. 16 I don't know. 17 Q. Well, the secrecy of the ballot protects those 18 from being pressured or coerced or judged into making 19 certain choices, right? 20 A. True. 21 Q. Okay. So the State has a legitimate interest in 22 protecting your secrecy and your privacy as a voter, 23 right? 24 A. Correct. 25 Q. Okay. And have you ever experienced any</p>
<p style="text-align: right;">Page 119</p> <p>1 assure you that's a good sign. I'm getting through the 2 rest of my questions here. So we're going to hop around 3 a little bit. Let's talk about early voting a bit. 4 You would agree that increasing the minimum hours 5 for early voting would be a good thing, right? 6 A. What -- what do you mean there? 7 Q. So, let's say that the minimum early voting hours 8 used to be four per day, that there had to be minimum 9 early voting hours, and it would be a good thing to 10 increase the minimum early voting hours per day. 11 You would agree with that, right? 12 A. I've always known them to be 7:00 to 7:00. 13 Q. Okay. Would it be a good thing to make them even 14 more? 15 A. Sure. 16 Q. Okay. Let's -- and you don't contend that -- you 17 don't think that Senate Bill 1 has hampered your ability 18 to vote early, do you? 19 A. I don't think so. 20 Q. Okay. Senate Bill 1 has not -- strike that -- 21 Let's talk about poll watchers. 22 Do you believe that poll watchers should be 23 allowed? 24 A. Personally, no. 25 Q. Why is that?</p>	<p style="text-align: right;">Page 121</p> <p>1 poll-watching behavior that prevented you from or 2 hampered you in casting a vote? 3 A. Not by an official poll watcher, but other 4 persons waiting on the booth behind me looking over my 5 head. But that hasn't prevented me from voting. 6 Q. Okay. 7 A. But it is very uncomfortable. 8 Q. Since the enactment of SB1, has there been any 9 poll-watching activity that has hampered your ability to 10 vote? 11 A. Not that I'm aware of. 12 Q. Okay. On the other hand, you would agree that 13 the State has a real interest in making sure that the 14 person who's casting the vote is the person who's 15 registered to vote, right? 16 A. Yes. 17 Q. Okay. As well as in ensuring that only those 18 people who are eligible to vote do in fact vote, right? 19 A. Yes. 20 Q. Okay. I'd like you to take a look back at 21 Exhibit Number 8. That's the Vox article. 22 A. Yeah. 23 Q. And if you flip to the 7th page -- and sorry, 24 these are double-sided. 25 A. Yeah.</p>

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<p style="text-align: right;">Page 122</p> <p>1 Q. Okay. So you're on the page where your section 2 begins. You flip to the next page. 3 A. Uh-huh. 4 Q. The page after that, the last paragraph in your 5 section. 6 Do you see that? 7 A. Yes. 8 Q. Okay. It reads, "When it comes to the greater 9 power Republican lawmakers want to give to poll 10 watchers, yuck. I am so annoyed about that. As a 11 person with disabilities, everyone is already trying to 12 be your helper. I don't want people interfering by 13 intimidating voters by their mere presence. People with 14 disabilities also have a right to a private vote. I use 15 a wheelchair, and if someone is standing there, they're 16 two or three feet taller than me. They're towering over 17 me. All they have to do now, because we're in Texas and 18 it is legal, is have a gun on them. That is 19 intimidation to scare away the voters. For anybody with 20 a disability or mental illness, it can cause undue 21 stress. I want my vote to be private, just like 22 everyone else." 23 Did I read that right? 24 A. Yes. 25 Q. Okay. So when you made this statement in</p>	<p style="text-align: right;">Page 124</p> <p>1 Q. Do you believe that poll watchers are allowed to 2 do that, to carry a firearm? 3 A. No. 4 Q. Okay. So you had said all they -- quote, "All 5 they" -- they being poll watchers -- "have to do now, 6 because we're in Texas and it is legal, is have a gun on 7 them." 8 So are you saying that you do not believe that 9 poll watchers are allowed to carry a firearm at the 10 polls? 11 A. Right. 12 Q. They are not? 13 A. I'm saying that's all we need now is for them to 14 have a gun on them, meaning they had just passed the law 15 where you didn't have to have a permit for open carry, 16 or whatever it is, and you could carry a gun with it. 17 Q. But not -- 18 A. I have seen people with guns, you know. 19 Q. But not at a polling location, right? 20 A. No. 21 Q. And not a poll watcher? 22 A. No. 23 Q. Okay. Do you believe that poll watchers are 24 allowed to carry a firearm? Not as -- in their capacity 25 as a poll watcher, but do you believe that a poll</p>
<p style="text-align: right;">Page 123</p> <p>1 July 2021, the date of this article, had you seen a poll 2 watcher with a firearm at the election polls? 3 A. No. 4 Q. Okay. And since the enactment of SB1, have you 5 seen a poll watcher with a firearm at the polls? 6 A. Not to my knowledge. 7 Q. Okay. So since the enactment of SB1, have you 8 ever been scared away from voting by a poll watcher? 9 A. No. 10 Q. And just to be clear, you've never been scared 11 away by a poll watcher, since the enactment of SB1, who 12 was carrying a firearm, right? 13 A. Well, I've never experienced that, so I wouldn't 14 know. 15 Q. You've never seen somebody -- a poll watcher with 16 a firearm; is that right? 17 A. No. 18 Q. Okay. 19 A. And the statement behind that is related to the 20 no-permit requirement for concealed weapons, so that was 21 also something that came to light this year. 22 Q. Okay. Why do you believe that poll watchers may 23 have a gun on them at the election polls? 24 A. To protect themselves in the event of an active 25 shooter.</p>	<p style="text-align: right;">Page 125</p> <p>1 watcher who has the right to carry a firearm may carry a 2 firearm while he or she is acting as a poll watcher? 3 A. Personally, I don't think it's appropriate, 4 because it is threatening. 5 Q. Not quite my question, though. I appreciate your 6 response, but not quite my question. 7 Do you believe -- not whether they should, but 8 whether they are allowed. Do you believe that poll 9 watchers are allowed to carry a firearm? 10 A. Yes. And so am I. 11 Q. And what's the basis for that belief? Why do you 12 think that? 13 A. Because of the ruling that you can carry a 14 weapon. 15 Q. Okay. I'm going to introduce our final exhibit 16 of the day. Exhibit No. 12 -- I'll mark this as 17 Exhibit No. 12. 18 (Exhibit 12 marked.) 19 Q. (BY MR. HERBERT) So this is a copy of an 20 election advisory issued by the Texas Secretary of State 21 on September 21st, 2018. At the top of the page, it 22 reads, quote, "Election Advisory, No. 2018-29." 23 Do you see that? 24 A. Yes. 25 Q. Okay. And at the top of the page, it shows that</p>

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<p style="text-align: right;">Page 126</p> <p>1 this is from Keith Ingram, the director of elections. 2 Did I represent that accurately? 3 A. Yes. 4 Q. And the subject line reads, "Handguns in polling 5 places," in parentheses, "KP-0212." 6 Did I read that correctly? 7 A. Yes. 8 Q. Okay. The third page -- if you would look to the 9 third page, you see there is a subject header in the 10 middle of the page that reads, "General prohibition of 11 firearms in polling place." 12 Did I read that correctly? 13 A. Yes. 14 Q. Okay. The first two sentences of that first 15 paragraph of that section reads as follows: 16 "Section 46.03(a) of the Texas Penal Code generally 17 prohibits a person from bringing a firearm onto the 18 premises of a polling place. In addition to the 19 circumstances described above, this prohibition does not 20 apply to a peace officer, regardless of whether the 21 peace office is on or off duty." 22 Did I read that correctly? 23 A. Yes. 24 Q. Okay. So you would agree that, unless you're a 25 peace officer, you actually may not carry a firearm at</p>	<p style="text-align: right;">Page 128</p> <p>1 Q. Okay. And if the Texas legislature required that 2 for a poll watcher to serve as a poll watcher, he or she 3 would have to present a certificate and sign an oath 4 swearing that they would not disrupt the electoral 5 process, would that be a good thing? 6 A. Only if it's a note that says under penalty of -- 7 but yes. 8 Q. Okay. Let's talk about -- let's talk about your 9 communication. Let's talk about your talk. Let's talk 10 about your communications about Senate Bill 1. 11 Have you spoken with any Texas election officials 12 about SB1? 13 A. Yes. 14 Q. Who? 15 A. Let's see -- to be honest, I don't remember all 16 who I have spoken with, but I didn't make a number of 17 calls to the capital. 18 Q. I'm sorry, could you repeat that for me? You did 19 or did not? 20 A. I did. 21 Q. Okay. 22 A. And I actually didn't get to speak with the 23 legislators. I spoke with their aides, primarily. 24 Q. And when was this? 25 A. Prior to the SB1 going into law.</p>
<p style="text-align: right;">Page 127</p> <p>1 the polls; is that right? 2 A. This was done in 2018, and the law that went into 3 effect recently says you can carry a gun. 4 Q. Okay. So you believe that Texas's constitutional 5 carry law overrides this prohibition of firearms; is 6 that right? 7 A. That would be my understanding. 8 Q. But that would have nothing to do with 9 Senate Bill 1, right? It would have to do with the 10 constitutional carry law, right? In other words -- I 11 can rephrase that. 12 So you do not believe that Senate Bill 1 permits 13 the carrying of firearms; you believe that 14 constitutional carry is what permits the carrying of 15 firearms by poll watchers, right? I can rephrase it 16 again if you'd like. 17 A. I can't even -- 18 Q. Sure, sorry. 19 A. Yeah, I can't even answer that question. 20 Q. That's okay. 21 If Senate Bill 1 had a provision that allows for 22 law enforcement to remove a poll watcher who is 23 committing a breach of the peace or any other violation 24 of law, would that be a good thing? 25 A. Yes.</p>	<p style="text-align: right;">Page 129</p> <p>1 Q. Okay. And do you remember which legislative 2 aides or which legislators' offices you contacted? 3 A. No. It's been a little while. 4 Q. What were those conversations like? What did the 5 legislator aides say in those conversations? 6 A. To paraphrase, they understood our concerns -- my 7 concerns, and they'll speak with the senator or 8 legislator regarding my concerns and pass them along. 9 And that was basically what everybody said, which is 10 consistent with questions or concerns I've brought 11 before other legislators. 12 Q. And did anybody say anything different than that, 13 or that's what everybody said? 14 A. Yeah. 15 Q. Okay. Did you talk to anybody from the office of 16 the Texas Secretary of State about Senate Bill 1? 17 A. No. 18 Q. Did you speak with any county officials about 19 SB1? 20 A. I don't recall speaking to any county officials. 21 Q. Did you write your House member or your senator? 22 A. No. 23 Q. Did you speak to anybody from the office of the 24 governor? 25 A. No.</p>

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<p style="text-align: right;">Page 130</p> <p>1 Q. What about the office of the lieutenant 2 governor -- 3 A. No. 4 Q. Did you speak to anybody from the office of the 5 lieutenant governor? 6 Did you -- did you testify before the adoption of 7 SB1 in front of the legislature? 8 A. No, I did not. 9 Q. Could you describe to me your involvement in the 10 political process leading up to the enactment and 11 signing into law of Senate Bill 1? 12 A. Let's see. I know we passed along a lot of 13 information online, and how to contact your legislators 14 with any concerns or non-concerns. I do know that -- I 15 think I watched legislation online on a few of the 16 hearings. 17 But I think that was -- a lot of work we did was 18 just promoting the information that was going out and 19 when the hearings were and such. 20 Q. Did you do anything else to make sure your voice 21 was heard when SB1 was being considered? 22 A. I'm sure I signed a few petitions. I'm sure I 23 did those group letters to legislators, but I can't tell 24 you when, but I know I did some work on it. Generally 25 speaking, my -- I would have electronic testimony</p>	<p style="text-align: right;">Page 132</p> <p>1 A. Mayoral and Democratic or Senate positions, and 2 now gubernatorial. 3 Q. Have those all been Democratic campaigns? 4 A. No. 5 Q. Have you ever -- have you ever worked for or 6 volunteered for any political campaigns? 7 A. Yes. 8 Q. Which ones? 9 A. The Lightrail Project Connect. So many of the 10 city ones -- mostly municipal ones. And just voting -- 11 promoting voting. 12 Q. So, just a few more questions, I think. We might 13 be able to wrap up early and get out -- well, not early, 14 but we might be able to wrap up soon. 15 You had mentioned that one of your concerns about 16 SB1 was that if you're voting by mail you have to prove 17 that you're disabled; is that right? 18 A. Well, that's just on the mail-in ballot, period. 19 Q. Okay. If you did not have to prove that you were 20 disabled but could simply attest to your being disabled 21 for an application to vote my mail, would that be 22 better? 23 A. I -- personally, I don't know why you would have 24 to say you have a disability. If you want an absentee 25 ballot, you should be able to get one if you're going to</p>
<p style="text-align: right;">Page 131</p> <p>1 provided or sign on to a letter related to the position 2 of one of my groups. 3 Q. Do you have a rough sense for how many of those 4 letters there were? 5 A. No. 6 Q. Okay. That's all right. And I don't think I 7 asked you this, but are you affiliated with a political 8 party? 9 A. As in -- as in -- 10 Q. Are you a member or affiliated with a political 11 party? 12 A. How do I vote? Is that the question? 13 Q. No. Are you a member of any political party? 14 A. The Democratic party. Am I? 15 Q. And -- 16 A. If that's what you wanted. 17 Q. Well, I'm -- only if that's the case. 18 A. I was like, party? 19 Q. Are you a member of the Democratic party, or are 20 you -- 21 A. I am a democrat. 22 Q. Okay. And have you ever donated to political 23 campaigns? 24 A. Yes, I have. 25 Q. Which campaigns; do you remember?</p>	<p style="text-align: right;">Page 133</p> <p>1 be absent or you want to vote by mail. It should not be 2 related to a person's disability. 3 Q. So your belief is that before SB1, after SB1, you 4 could -- any voter who is eligible to vote should be 5 able to vote by mail, no matter what; is that right? 6 A. Not no matter what. 7 Q. Okay. Let me clarify, I'm sorry. 8 A. But not based on their disability -- 9 Q. Okay. So you -- 10 A. -- or lack thereof. 11 Q. So then -- so then, what should the criteria be 12 for somebody to vote by mail? 13 A. They need to vote by mail for any other reason. 14 Q. And disability is not one of those reasons? 15 A. It could be. But so could work, travel, 16 everything else. A disability is getting a little 17 personal. 18 Q. So it's your issue -- strike that -- 19 So your concern is more that you have to specify 20 why you need to vote by mail; is that right? 21 A. Yes. 22 Q. Okay. You don't believe that the Texas 23 legislature engaged in intentional discrimination when 24 it passed Senate Bill 1, do you? 25 A. That's a loaded question. I believe the intent</p>

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<p style="text-align: right;">Page 134</p> <p>1 was to change the law to make it more difficult for</p> <p>2 different groups to be able to vote by mail.</p> <p>3 Q. Sorry, I'm just going to object as nonresponsive,</p> <p>4 just because I'm not sure that I'm following here, and I</p> <p>5 think my question is just a little bit different -- and</p> <p>6 please correct me if I'm wrong, but you do not believe</p> <p>7 that the Texas legislature, in passing SB1,</p> <p>8 intentionally discriminated, correct?</p> <p>9 A. The way you're saying it is kind of confusing me.</p> <p>10 You have a double negative in there.</p> <p>11 Q. Okay. Let me rephrase that.</p> <p>12 When the Texas legislature passed SB1, you would</p> <p>13 agree that they were not intentionally discriminating,</p> <p>14 correct?</p> <p>15 A. Not correct.</p> <p>16 Q. You do believe that the Texas legislature was</p> <p>17 intentionally discriminating; is that right?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. What is the basis for that belief?</p> <p>20 A. The limitations placed on the mail-in ballot, the</p> <p>21 restrictions at the polls.</p> <p>22 Q. Anything else?</p> <p>23 A. The certification under penalty of law that was</p> <p>24 added into the statement.</p> <p>25 Q. The oath statement?</p>	<p style="text-align: right;">Page 136</p> <p>1 Q. Okay. Did you speak to any -- strike that --</p> <p>2 Nothing in Senate Bill 1 expressly mentions race</p> <p>3 as far as you're aware; is that right?</p> <p>4 A. Huh-uh. I'm sorry. No, not that I recall.</p> <p>5 Q. And nothing in Senate Bill 1, as far as you're</p> <p>6 aware of, expressly mentions -- strike that --</p> <p>7 To reiterate, you did not talk to anyone from the</p> <p>8 secretary of state's office about SB1, correct?</p> <p>9 A. Correct.</p> <p>10 Q. So your belief about Texas's discriminatory</p> <p>11 intent is not informed by any conversation with the</p> <p>12 Secretary of State's Office, right?</p> <p>13 A. Right.</p> <p>14 Q. And, again, to reiterate, you did not talk to any</p> <p>15 House members about SB1, correct?</p> <p>16 A. Correct.</p> <p>17 Q. So your reason for believing that SB1 is</p> <p>18 intentionally discriminatory does not have to do with</p> <p>19 conversations that you had with House members; is that</p> <p>20 right?</p> <p>21 A. That would be correct.</p> <p>22 Q. And it's not based on any statements that members</p> <p>23 of the Texas House made; is that right?</p> <p>24 A. No.</p> <p>25 Q. And you did not talk to any members of the Texas</p>
<p style="text-align: right;">Page 135</p> <p>1 A. The oath.</p> <p>2 Q. Anything else?</p> <p>3 A. That's all I can think of.</p> <p>4 Q. Okay. So it would be fair to say, then, that</p> <p>5 your reason for believing that the Texas legislature was</p> <p>6 initially discriminating is from Senate Bill 1 itself,</p> <p>7 the language of Senate Bill 1 itself; is that right?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. Do you have any other reason to believe</p> <p>10 that the Texas legislature acted intentionally</p> <p>11 discriminatory?</p> <p>12 A. Any other reason to believe that they acted</p> <p>13 discriminatory? I would only have to say that it's been</p> <p>14 my experience that I've seen over the years as I</p> <p>15 participated in various other bills that were designed.</p> <p>16 Q. Okay. But to be clear, I'm talking about</p> <p>17 Senate Bill 1.</p> <p>18 So are you saying that -- are you saying that</p> <p>19 your basis for believing that the Texas legislature was</p> <p>20 intentionally discriminating when it passed SB1 --</p> <p>21 A. Yes.</p> <p>22 Q. -- is solely based on the Texas Senate Bill 1</p> <p>23 itself, as well as the Texas legislature's previous laws</p> <p>24 that were unrelated to Senate Bill 1?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 137</p> <p>1 Senate about SB 1, right?</p> <p>2 A. Correct.</p> <p>3 Q. And so your reason for believing that the Texas</p> <p>4 legislature was intentionally discriminatory in passing</p> <p>5 SB 1, that has nothing to do with any conversations or</p> <p>6 statements by Texas senators; is that right?</p> <p>7 A. It's the production of the law that indicates to</p> <p>8 me that it was a discriminatory act based on my</p> <p>9 experience with previous voting laws.</p> <p>10 Q. So to be clear, not based on a conversation you</p> <p>11 had with a Texas senator or a statement that a Texas</p> <p>12 senator made?</p> <p>13 A. No.</p> <p>14 Q. And --</p> <p>15 A. By following the law.</p> <p>16 Q. And not based on any conversations that you had</p> <p>17 with the office of the governor or any statements by the</p> <p>18 office of the governor?</p> <p>19 A. No.</p> <p>20 Q. And not based on any conversations you had with</p> <p>21 the lieutenant governor or any statements by the</p> <p>22 lieutenant governor, right?</p> <p>23 A. Correct.</p> <p>24 Q. Okay. Let's take a five-minute break. I think</p> <p>25 I'm about done, but I just want to check my notes, if</p>